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Annual Report
of the
Maryland Judiciary
1986-1987



The Bicentennial of the United States Constitution

★ ★ ★ ★ 1787—1987 ★ ★ ★ ★

*The path of the Constitution includes the Maryland
Statehouse in Annapolis and the Pennsylvania
Statehouse in Philadelphia—Independence Hall.*

2/7/10/50

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of the
Maryland Judiciary
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**Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/974-2141**

COVER: Right—Pennsylvania Statehouse, Philadelphia—Independence Hall
Courtesy of the National Archives, Washington, D.C.
Left—The Maryland Statehouse attributed to C. Milburne (1794)
Hammond-Harwood House Association, Annapolis. Photograph,
Courtesy of the Maryland State Archives MdHRG1556-10

Report prepared by the
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Letter of Transmittal

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
974-2141

STATE COURT ADMINISTRATOR
JAMES H. NORRIS, JR.



DEPUTY STATE COURT ADMINISTRATOR
ROBERT W. MCKEEVER

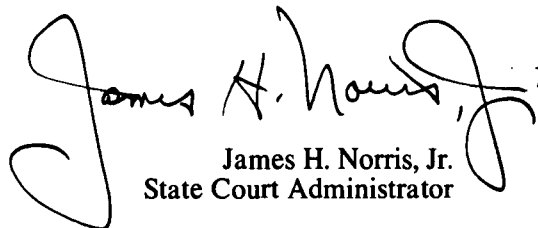
September 1, 1987

This is the eleventh *Annual Report of the Maryland Judiciary*, which includes the thirty-second Annual Report of the Administrative Office of the Courts, as required by § 13-101(d)(9) of the Courts Article. The report covers Fiscal Year 1987, beginning July 1, 1986, and ending June 30, 1987.

The report is continuing to be presented in one volume with each of the courts and other sections containing the statistical material associated with that section. We believe this presents a more readable and convenient reference tool.

Many individuals have contributed to and participated in its preparation including the Chief Judge of the Court of Appeals, the Chairman of the Conference of Circuit Judges, the Chief Judge of the District Court, the Deputy State Court Administrator, all Assistant State Court Administrators, the Clerks of the two appellate courts, the Chief Clerk and other staff of the District Court headquarters, circuit and local administrators and other staff members of the Administrative Office.

The statistics on which most of the report is based have been provided through the fine efforts of the clerks of the circuit courts for the counties and Baltimore City and the clerks of the District Court of Maryland. My thanks to them and all those whose invaluable assistance has contributed to the preparation of this publication.


James H. Norris, Jr.
State Court Administrator

TTY FOR DEAF: ANNAPOLIS AREA 974-2609
WASHINGTON AREA 565-0450

Introduction



ROBERT C. MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

September 1, 1987

As suggested by the cover of this eleventh *Annual Report of the Maryland Judiciary*, the State of Maryland played a significant role in the creation of a remarkable document: the United States Constitution. In the bicentennial year of the signing of the Constitution, it behooves each of us to read and ponder anew this foundation of our democratic institutions, still living, still evolving today.

The report itself makes clear that the number of new cases and appeals filed in Maryland courts continues to grow each year. Last session, the General Assembly helped us cope with the ever-increasing workload, first, by approving an additional judgeship for the District Court and second, by appropriating funds for the maintenance of special "settlement judges" in the busiest circuit courts. The use of settlement judges promises to be one of the Judiciary's most effective innovations to clear clogged civil dockets. These judges, selected from the ranks of recent trial and appellate retirees, confer with counsel and litigants in an attempt to resolve disputes outside of the courtroom. Our experience shows that the nonadversarial atmosphere of these conferences encourages numerous settlements of the civil matters so treated, at a considerable savings of court time and expense.

As always, all of the judges and supporting staff in our courts deserve thanks and commendation for a job well done.

A handwritten signature in cursive script, reading "Robert C. Murphy", is positioned above the printed name.

Robert C. Murphy
Chief Judge of the
Court of Appeals of Maryland

State of the Judiciary Message

To a Joint Session of the General Assembly of Maryland

**Delivered by
Chief Judge Robert C. Murphy
January 28, 1987**

Governor Schaefer, President Miller, Speaker Mitchell,
Ladies and Gentlemen of the General Assembly:

This month—January 1987—marks my twentieth year as a member of the Maryland Judiciary—the last fifteen as Chief Judge of the Court of Appeals and Administrative Head of the Judicial Branch of our State Government. Within this fifteen year period, I have appeared before this distinguished body on seven prior occasions to inform you of Judicial Branch operations, problems and concerns and, in particular, to focus your attention on needed judicial reforms—reforms which cannot be accomplished without your approval. Not all of my recommendations have been greeted with universal enthusiasm—indeed, some have engendered downright hostility among a few members of the General Assembly, causing my good friend and sometimes principal tormentor, Senator Lapidès, to remind his colleagues—as the time draws near for my biennial appearance in these historic chambers—that it is one thing to invite the Devil to come and quite another to see him walk through the door. But Senator Lapidès notwithstanding, your response to Judicial Branch needs has, in the main, always been most gratifying and the Judiciary, in turn, has discharged its public trust in what I perceive to be a most faithful and satisfactory fashion.

The Maryland Judiciary is small, compact and tightly organized in comparison with other states of similar demographic characteristics. Excluding the Orphans Courts, and the Maryland Tax Court, which is not a court at all but an administrative agency, the judicial power of the State is presently exercised by 219 judges within four separate levels of our State Court system. Two levels are comprised of trial courts—the District Court of Maryland, and the circuit courts of the State—one in each county and Baltimore City. The other two are appellate courts—the Court of Special Appeals and the Court of Appeals. Each of these courts operates through well-defined administrative channels, with responsibility for their efficient day to day functioning being vested in a network of chief and administrative judges who are

endowed with the requisite supervisory and managerial authority to make them work.

At the apex of this four-tiered judicial pyramid is the Court of Appeals of Maryland which, in effect, is the State's Supreme Court. The Court, like the General Assembly of Maryland, is a most venerable institution; its roots, like yours, can be traced to the mid-17th Century, well over a hundred years before the American Revolution. In addition to its adjudicatory and other responsibilities, the Court acts in a legislative capacity under the Maryland Constitution in promulgating Rules, having the force of law, which govern practice and procedure in all the courts of Maryland—a function of the most vital importance in the administration of justice within our State. I would like to recognize my esteemed colleagues on the Maryland Court of Appeals—Judge John C. Eldridge, Judge Harry A. Cole, Judge Lawrence F. Rodowsky, Judge James F. Couch, Jr., Judge John F. McAuliffe, and Judge William H. Adkins, II.

The thirteen member Court of Special Appeals—the second highest court on the judicial ladder—is twenty years old this month. The General Assembly had the vision to foresee the need for this intermediate appellate court because of what it wisely perceived in 1967 would be an avalanche of appeals far beyond the capacity of the seven judges of the Court of Appeals. Indeed, since its inception in 1967, the Court of Special Appeals has docketed 27,937 cases, filing in all 18,129 opinions. The Court, which sits in Annapolis, is widely acknowledged as one of the premier intermediate appellate courts in the country,

***The 1985-86 Annual Report of the Maryland
Judiciary contains all relevant data essential
to assessing the performance of the judiciary.***

due in no small measure to its Chief Judge since 1976—Richard P. Gilbert, a man of truly extraordinary talent—so much so that his national level peers recently elected him Chairman of the National Council of Chief Judges of State Courts of Appeal.

A total of 109 judges serve on the circuit courts of the State. These are the common law trial courts of general jurisdiction—rich in tradition, with deep

antecedents in the history of our State. These courts operate under the direction of circuit administrative judges, appointed by the Chief Judge of the Court of Appeals. Being locally rather than State-funded, these courts are not unified and thus there is no single chief judge of the circuit courts who exercises collective administrative direction over them. Nevertheless, the voice of circuit court judges is heard through its Conference of Circuit Judges, which elects its own chairman—the closest thing we have to a chief judge of the circuit courts. Raymond G. Thieme, Jr., an Associate Judge of the Circuit Court for Anne Arundel County, has just been reelected for his second term as Chairman of this august body. His headaches, like yours, multiply each time the phone rings in his office.

The District Court of Maryland is a trial court of limited statutory jurisdiction, having ninety judges parceled among twelve geographic districts throughout the State. This unified Court became operational in 1971 as a result of a constitutional amendment proposed by the legislature during the administration of Governor Mandel—a truly great achievement for which Governor Mandel will always be remembered. In its sixteen year existence, the Court has had but one chief judge who administers its vast caseload with a strong and firm hand—some say an iron fist. Whichever it is, accolade upon accolade has been heaped upon the performance of the District Court of Maryland and of its now aging chief administrator, Chief Judge Robert F. Sweeney.

The Court of Appeals Standing Committee on Rules of Practice and Procedure consists of 22 members. Of that number, 14 are lawyers, including two legislators, one each appointed by the President of the Senate and the Speaker of the House. Seven members are judges, and one is a circuit court clerk. The Rules Committee is a braintrust extraordinaire, which provides an enormous service to the judiciary and to the legal profession. The members work long hours without compensation in developing rules to govern practice and procedure in the courts of Maryland. The Chairman of the Committee is a man of singular intellectual attainment and a great judge, the Honorable Alan M. Wilner, an Associate Judge of the Court of Special Appeals.

The Administrative Office of the Courts, my principal administrative arm, is superbly directed by

the State Court Administrator, James H. Norris, Jr., who has been in State service for over 30 years, first as a member of the Attorney General's Office, later as Chief Deputy and as the Clerk of the Court of Appeals—and since 1983 as the State Court Administrator. He is absolutely indispensable to the Judicial Branch.

In addition to the three thousand plus non-judicial employees of the Judicial Branch, there are two extremely important adjunct instrumentalities of the Judiciary, funded in their entirety by the lawyers of Maryland, and staffed by lawyers and lay persons, who serve, in large part, without compensation in the public interest. The first of these is the Attorney Grievance Commission, and its various operating appendages—the Office of Bar Counsel, the Lawyer Inquiry Panels and the Review Board—which together operate Maryland's remarkably effective attorney disciplinary machinery. The second is the Clients' Security Trust Fund which compensates clients of unscrupulous lawyers who have misappropriated their funds. One such payment last year, because of just one lawyer's defalcation, amounted to \$126,249, all paid into the Fund by the lawyers of Maryland.

The State Board of Law Examiners, whose seven members serve with only token compensation, is another Judicial Branch adjunct of great importance.

A total of 1,814 candidates took the Bar Examination in 1986. Of these, 1,044 were successful—a 57.5% overall passing rate. You should know that numerous members of the Bar, who serve without compensation on Character Committees throughout the State, inter-

view and investigate each candidate's moral character fitness preliminary to their actual admission to practice law in our State.

The 1985-86 Annual Report of the Maryland Judiciary, which is available to each member of the General Assembly, contains, in minute detail, all relevant data essential to assessing the performance of the judiciary. A great deal of painstaking effort goes into this annual publication, which we present, not as a public relations document, but rather as a public information tool and as an internal device which permits the judiciary to monitor itself on a year by year basis. Because we are so proud of this publication, I was badly wounded last year when Senator Riley told me that she had read the report, from cover to cover, and found it terribly boring. I told her that the report

By way of a net offset to the actual time-consuming trial of cases, with all their horrendous public expense, the Judiciary has enjoyed immense success in its court-ordered arbitration program now utilized in two of the largest circuit courts in the State—whereby retired judges, acting as settlement masters in civil money damage suits, and in some domestic disputes, have mediated settlement of many hundreds of cases without trial.

was not designed to titillate, but that, for her, I would include some pictures in future editions to make it more appetizing, which we have done this year.

While the Judiciary has no public information officer, its Public Awareness Committee endeavors throughout the year to keep the public informed of the judicial role in our society. The Chair of that Committee, Judge Mary Arabian of Baltimore City, a judge for over 25 years—one of the very best in Maryland or in any other state for that matter—did extraordinarily effective work with the public television stations last year in producing a series of programs to acquaint the public with Judicial Branch operations—programs for which the Judiciary, and the PBS stations, received a highly coveted award from the American Bar Association. Other programs are now in the works, and through this medium we hope to remove the mystique which clouds the public's understanding of the Judicial Branch of Government.

In its latest report on the subject, for the year 1983, the Department of Justice has disclosed that combined federal, state and local spending on civil and criminal justice amounted to 39.7 billion dollars. This is only one-half of the amount paid from public treasuries for housing and the environment; less than three times the amount of interest paid on the public debt; and less than four times the amount spent for public education. Police protection appears to be the most costly of the justice expenditures; with correctional services a fast growing second and judicial services a distant third, even though 98% of all litigation in this country is conducted in state courts. These national level statistics, relative to the cost of judicial services, square with our own in Maryland, which indicate that the Judiciary receives roughly .06% of state budgeted funds (while returning over \$40 million in revenues to the State).

Although the net expense of the Judiciary to the public is not large, we recognize that our needs—like those of all units and branches of government—must be fully justified to you. Since 1979, in accordance with a Legislative Policy Committee directive, I have formally certified to this body what I believe to be the need for new judgeships in the coming budget year. Since that procedure was initiated, we have requested and received 19 new circuit court and 4 district court judgeships, considerably less than the corresponding percentage increase in the cases filed in those courts within that time. We recognize, of course, that the caseload of the courts will always increase in far greater proportion than the number of judgeships which you can reasonably authorize. For that reason, we have, with your approval, made extensive use of our constitutional authority to utilize retired judges for temporary periods in courts where caseload emergencies demand that course of action.

For your information, in the past fiscal year we utilized retired judges for 205 days in the circuit courts; 333 days in the District Court; and 159 days in the appellate courts. You should also know that, this year, we face a number of unusually protracted civil trials as a result of the collapse of several savings and loan institutions. Trial times of from 4 to 6 months are estimated for each of those cases and, in one jurisdiction, a make-shift courtroom is being constructed in an unused public school to accommodate multiple parties represented by as many as 40 lawyers. Asbestos-related cases by the many hundreds have been filed in the circuit courts, primarily in Baltimore City and Baltimore County, which will seriously strain our total judicial resources over the next 5 years. And this year's scheduled opening of the new prison in Somerset County, which will house some 2,500 inmates, will spawn considerable additional civil and criminal litigation in the district and circuit courts in that region of the State.

By way of a net offset to the actual time-consuming trial of cases, with all their horrendous public expense, the Judiciary has enjoyed immense success in its court-ordered arbitration program now utilized in two of

Roughly 19,000 criminal homicides are committed in this country every year. Thirty-seven states, including Maryland, now have capital sentencing statutes pursuant to which about 300 persons each year are sentenced to death.

the largest circuit courts in the State—whereby retired judges, acting as settlement masters in civil money damage suits, and in some domestic disputes, have mediated settlement of many hundreds of cases without trial. Both the Maryland State Bar Association and a committee of the Maryland Judicial Conference have urged that this program be expanded to other circuit courts; that retired judges be invested with judicial powers while acting in the settlement of these cases; and that they be paid by the State, rather than by the local jurisdiction, as is now being done. I will therefore seek a supplement to our regular retired judge appropriations in this budget cycle to expand the program and to avail ourselves of its enormous cost-saving and caseload management benefits. Anticipating success in this regard, and taking into account a comprehensive set of factors by which we determine new judgeship needs, including space limitations in our various overcrowded courthouses, I certify the need for one additional judgeship at this time—this for the District Court in Montgomery County, where despite all our efforts, that court remains backlogged to such

a critical degree that only an additional active judge will resolve our caseload problems in that jurisdiction.

A few vital statistics may be of interest to you with respect to the operation of our trial courts. In the District Court, total filings, including traffic, were 1,586,125 in Fiscal 1986. Of this number, 316,320 civil, criminal and juvenile cases resulted in trials before the judges of the District Court—roughly 3,721 per District Court judge yearly on an average. This is an increase of 4.7% over the past year and encompasses drinking driver cases, of which there were 33,302 in Fiscal 1986, an increase of 5.5%, or 1,750 cases over the preceding year.

In the circuit courts 186,210 cases of all kinds were filed in Fiscal 1986—an increase of 8.2% over the preceding year. Of this increase 14.3% was in criminal filings, 12.5% in juvenile and 4.5% in civil cases. The time required to terminate cases in the circuit courts between filing and disposition, on an average, was 204 days in civil cases, 106 days in criminal cases and 66 days in juvenile matters. These figures plainly demonstrate that the judges are keeping well abreast of their dockets, although there are a few pockets where improvement in case disposition time is sorely needed and we are, I assure you, working on it.

I turn next, with great trepidation, to Maryland's death penalty statute, concerning which I have been asked to comment respecting its application, implementation and cost. Preliminarily, I note that the morality and efficacy of the death penalty is not the official concern of any judge—the judicial role is strictly limited to applying the relevant constitutional and other applicable law to the facts of each death penalty case—no more, no less. The members of this body, as elected representatives of the people, established the public policy of this State when, in 1978, you enacted Maryland's present capital sentencing law, authorizing the death penalty for a specified class of first degree murders. Why then, the question is asked, have there been no executions in Maryland in the nine years which have elapsed since the enactment of the statute?

A little history is first in order. Until 1972 the Maryland death penalty statute, like those in other states, permitted either a life or death sentence for certain capital offenses; the choice was wholly within the discretion of the trial judge. Because there were no standards to guide the exercise of the judge's discretion, the Supreme Court in 1972 declared all such death penalty statutes violative of the cruel and

unusual punishment provisions of the Federal Constitution. Almost 3,000 prisoners then on death row in the prisons of the country, including those in Maryland, were given reprieves to life imprisonment. The legislatures in many states, including Maryland, thereafter perceived that if unbridled judicial sentencing discretion was unconstitutional, a mandatory death sentence statute for certain capital offenses in which the sentencing judge had no discretion would be constitutional. In 1975 this body enacted that type of death penalty statute. But shortly thereafter the Supreme Court decided that, because mandatory death penalty statutes did not permit the sentencing authority to consider the record of the defendant, and the circumstances of the offense, they too were unconstitutional.

The nation's death rows were once again emptied and once again legislative bodies all across the country enacted new statutes—this time establishing strict and detailed rules to be followed by the sentencing authority before a death penalty could lawfully be imposed. The Supreme Court in 1976, in several plurality opinions—described by some scholars as both misty and muddy—found these so-called guided discretion statutes to be generally constitutional as long as the statutory provisions were strictly and scrupulously observed.

These new statutes afforded capital defendants

Touching briefly on other matters, an amendment to the Maryland Constitution to remove circuit court judges from the contested election process—thereby placing them on an equal footing with all other Maryland judges—continues to be of the greatest importance to the Judiciary.

procedural and substantive protections well beyond those required for noncapital felons and their proper application proved extremely difficult and complicated, resulting in a high incidence of

appellate reversals for trial error—not because of some mere technicality—but because the Constitution of the United States, or the provisions of the death penalty statutes themselves, were violated in a way that mandated that new trials or resentencing hearings be held.

Roughly 19,000 criminal homicides are committed in this country every year. Thirty-seven states, including Maryland, now have capital sentencing statutes pursuant to which about 300 persons each year are sentenced to death. Since 1976 there have been a total of 67 executions, none in Maryland (the last execution in our State was in 1961, over 25 years ago). As of December 1986, 1,838 persons are being held under death sentences. In view of the stakes involved, virtually every death row inmate is utilizing all available judicial avenues to upset their sentences, and these proceedings are protracted and expensive, to say the least. To illustrate, after a death sentence

is affirmed on appeal by the State's highest Court, which sometimes is years after the crime was committed, a minimum of 12 additional state and federal court reviews are possible. For example, under a recent amendment to your own post conviction statute, a death penalty inmate may file two petitions, claiming a violation of constitutional or statutory rights. One type of petition which has been filed in death penalty cases, and will likely be routine in all such cases, is that the inmate's lawyer at trial, or on appeal, was incompetent, and that a new trial or another appeal is therefore constitutionally mandated. Experience indicates that these cases alone require as many as five trial days. Another proceeding, just sanctioned by the Supreme Court, affords an individual under death sentence a constitutional right to a court determination, including appellate review, of his sanity before execution can be carried out. The Governor's Task Force on Mentally Ill Offenders, in its report, indicates that a new statute must be enacted at this session in order to conform our law with the requirements of the Federal Constitution.

Since Maryland's capital sentencing statute was enacted in 1978, Maryland prosecutors have filed death penalty notices 192 times. Of this number, 68 individuals actually faced a sentencing tribunal empowered to impose capital punishment. Of these, 26 death penalties were actually imposed. The Maryland Court of Appeals has heard almost 40 death penalty cases, several involving the same individual as many as four times. There are now 17 individuals on death row in our State. The first death penalty affirmed by the Maryland Court of Appeals was for a murder committed in 1978. That case has just cleared the State courts and is now in the federal court system, where it may be again reviewed, beginning from square one.

Another policy matter of the most vital importance to the Judiciary involves the inundating of the circuit courts of the state with phony requests for jury trials in misdemeanor cases which you intended would be routinely tried by District Court judges.

It has now been over ten years since the Supreme Court first approved guided discretion capital sentencing statutes and still serious constitutional and other legal challenges are being made to their validity. You may ask whether the time is close at hand when most of the legal problems will have been ironed out so that death penalty appeals will be treated as routinely as other criminal appeals. I doubt seriously that that day, if it ever comes, is close at hand.

In 1983, the Joint Chairmen of the budget committees sought an assessment of the costs of implementing Maryland's death penalty law. The Governor's Criminal Justice Coordinating Council undertook such a study and filed its report in 1985. Due to the absence of relevant cost data, the report was incomplete and inaccurate. Studies in other states, however, indicate that death penalty litigation is

We also will renew our efforts to obtain your approval to use six rather than 12-person juries in civil cases.

enormously expensive. Oregon estimated such costs at \$700,000 per capital prosecution; California estimated \$500,000 per case; and New York \$1,828,000. When account is taken of the so-called failure rate in capital prosecutions, California estimated the costs per execution to be \$4,500,000 while New York estimated \$7,300,000. The accuracy of these figures may well be suspect. The American Bar Association has initiated a study to determine the actual true cost of death penalty litigation and its report, widely awaited, should prove of interest to this body.

Touching briefly on other matters, an amendment to the Maryland Constitution to remove circuit court judges from the contested election process—thereby placing them on an equal footing with all other Maryland judges—continues to be of the greatest importance to the Judiciary. In this last election, sitting circuit court judges were challenged in five out of eight judicial circuits, in three of which District Court judges, securely tenured in their own judgeships, ran against circuit court judges who, if defeated, stood to lose everything. To so pit judge against judge in a popular election contest, where there are no political issues to debate, and no constituencies to represent, ill serves the public interest. Recognizing that proposed amendments to the State Constitution will not be considered at this session, I ask that, in the interim, the Legislative Policy Committee review this truly critical policy matter and make a recommendation to the General Assembly at its 1988 session.

Another policy matter of the most vital importance to the Judiciary involves the inundating of the circuit courts of the state with phony requests for jury trials in misdemeanor cases which you intended would be routinely tried by District Court judges. Almost 25,000 times this past year were such cases removed from the District Court. While less than two percent of this number actually resulted in circuit court jury trials, the considerable expense and terrible inconvenience associated with such case transfers impacts most severely on our ability to efficiently administer the

criminal justice system in Maryland. Unless changes are made to the existing law, and to the Maryland Constitution, the problem will simply be beyond resolution. A special committee of District and circuit court judges is now preparing a report on this subject, which we plan to refer to the Legislative Policy Committee for its review prior to the next session of the General Assembly.

We also will renew our efforts to obtain your approval to use six rather than 12-person juries in civil cases. Such a change will not sacrifice the quality of jury deliberations or the desired cross-sectional representation of diverse groups. It will, however, save time and money in the operation of our court system. And we shall also continue to seek the abolition of the wasteful, the mindless, the totally redundant de novo trial procedure in cases appealed from the District Court to the circuit courts—in favor of review solely on the record.

And should this be a year when you consider whether the State should assume all costs of operating its circuit courts—thereby relieving the political subdivisions of this financial burden—I caution that more is involved—a great deal more—than merely substituting one funding source for another. On the contrary, such a change would have profound implications on the judicial structure in this State.

Under the heading of things you should know, the Judiciary, after extensive study this year, has adopted two new ethical codes—one governing lawyers and the other judges.

On another subject, the Judicial Compensation Commission, which you created in 1980 as the appropriate expert body to recommend salary levels for all Maryland judges, conducted extensive public hearings throughout 1986 and heard from numerous witnesses, including business leaders. The Commission has proposed salary increases for all Maryland judges, the justification for which is contained in its detailed report. The Judiciary fully supports the Commission's recommendations and we urge that you accede to the Commission's resolution without change.

Under the heading of things you should know, the Judiciary, after extensive study this year, has adopted

two new ethical codes—one governing lawyers and the other judges. And a joint committee of the Judiciary and the State Bar Association has recently undertaken a study to determine whether, as some individuals charge, gender bias exists within the Maryland court system. The Committee's mission is to determine how gender bias, if it exists, affects decision making in

Maryland's pioneering sentencing guidelines project, which was designed to eliminate unjustified disparities in the criminal sentencing process, is presently undergoing revision which contemplates the inclusion of drinking driver cases to more uniformly serve justice in this area of such critical public concern.

the courts as well as those who participate in the judicial system—judges, lawyers, litigants, jurors, witnesses, court employees, and members of the public. Of course, if such bias is a reality, it will promptly be eliminated—as all who come into contact with the court system must and will be afforded equal treatment.

Maryland's pioneering sentencing guidelines project, which was designed to eliminate unjustified disparities in the criminal sentencing process, is presently undergoing revision which contemplates the inclusion of drinking driver cases to more uniformly serve justice in this area of such critical public concern. And, finally, the Judicial Data Center in Annapolis, of which we dreamed so mightily, and which you ladies and gentlemen have provided to us, is fast approaching full flower. As you directed last year, we are deeply involved with the clerks of the circuit courts in the development of a cost-effective automated information processing plan, which will encompass both the judicial and non-judicial components of the work of the clerks, and will tie into and exchange data with other State and local agencies.

Speaking for my fellow judges, as well as all personnel of the Judicial Department, I express to you ladies and gentlemen of the General Assembly our grateful thanks for all the assistance and help which you have provided to us over the years.

Judicial Revenues and Expenditures

State and local costs to support the operations of the judicial branch of government were approximately \$123,900,000 in Fiscal 1987. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts, including the Circuit Court for Baltimore City; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 219 judicial positions as of June 30, 1987, and approximately 3,300 nonjudicial positions in the judicial branch.

The state-funded judiciary budget operates on a program budget concept and expended \$66,960,565 in the twelve-month period ending June 30, 1987. The two appellate courts and the clerks' offices are funded by two programs. Another program pays the salaries and official travel costs for the circuit court judges. The largest program is the state-funded District Court which expended \$40,945,123 but brought in general revenue of \$43,267,460 in Fiscal 1987. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs provide funds for the Administrative

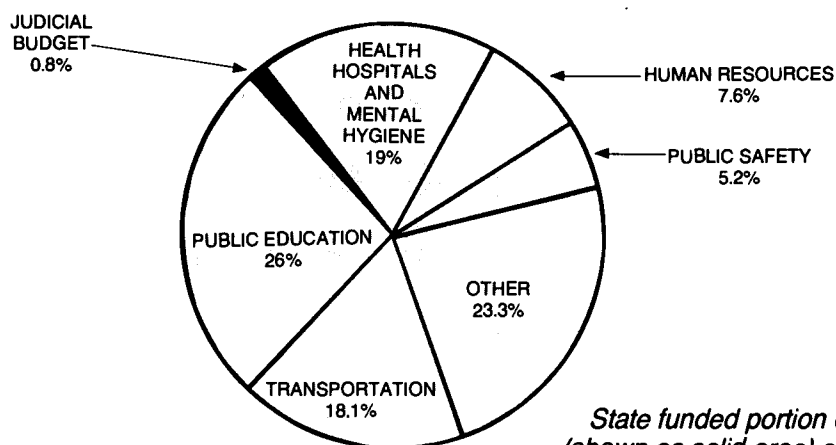
Judicial Branch Personnel in Profile

Judicial Personnel	219
Nonjudicial Personnel	
Court of Appeals	29
Court of Special Appeals	57
District Court	1,080
Administrative Office of the Courts	123.8
Court-Related Offices	21
(Includes Staff to State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure, State Law Library, and State Reporter)	
Circuit Courts	2
Clerks' Offices—Circuit Courts	1,053
Circuit Courts—Local Funding	<u>707.8</u>
Total	3,292.6*

*Includes permanent and contractual positions.



Original Treasury Building, Annapolis



State funded portion of judicial expenditures (shown as solid area) as a percentage of total state expenditures in Fiscal 1987

State Funded Judicial Budget

Revenues*

Program	Actual FY 1985	Actual FY 1986	Actual FY 1987
Court of Appeals	\$ 56,408	\$ 57,102	\$ 69,218
Court of Special Appeals	56,415	65,324	64,766
State Board of Law Examiners	300,905	377,754	393,303
District Court	34,497,821	41,479,118	43,267,460
TOTAL	\$34,911,549	\$41,979,298	\$43,794,747

* Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures.

Expenditures*

Program	Actual FY 1985	Actual FY 1986	Actual FY 1987
Court of Appeals	\$ 1,513,844	\$ 1,708,294	\$ 1,916,858
Court of Special Appeals	2,787,737	3,049,788	3,501,379
Circuit Courts	10,470,180	11,263,461	12,215,344
District Court	31,151,054	37,684,750	40,945,123
Maryland Judicial Conference	75,365	77,167	84,495
Administrative Office of the Courts	1,280,621	1,427,058	1,555,808
Court-Related Agencies	564,155	664,168	736,830
Maryland State Law Library	365,035	426,214	468,759
Judicial Data Processing	4,730,127	5,766,217	5,535,969
TOTAL	\$52,938,118	\$62,067,117	\$66,960,565

* Expenditures are paid from annual appropriations by the legislature to the judiciary budget.

Office of the Courts, the Maryland State Law Library, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The figures and the tables show the state-funded judicial revenue and expenditures for Fiscal 1987. The court-related revenue of almost \$43.8 million is remitted to the State's general fund and cannot be used to offset expenditures.

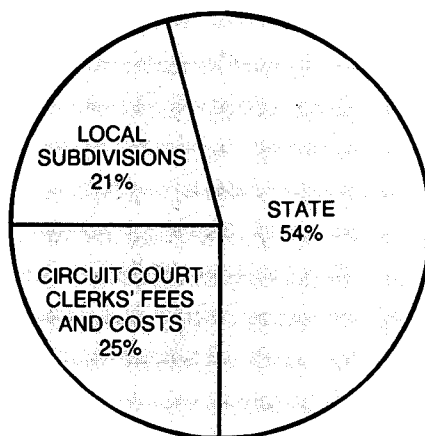
The total state budget was \$8.4 billion in Fiscal 1987. The illustration reflects that the state-funded judicial budget consumes but a tiny fraction of the entire state budget, approximately 0.8 of one percent.

Operating costs for the clerks' offices of the circuit courts presently are paid from filing fees, court costs and commissions collected by these offices. Any deficiencies are paid by the State from a (1) non-budgeted fund maintained by the State Comptroller and a (2) general fund appropriation by the legislature. Expenses for Fiscal 1987 were \$30,640,980 and fees and commissions totaled \$37,944,990. Fourteen of the 24 clerks' offices ended the year with a surplus, which is reflected in the total of fees and commissions. However, these surpluses revert to the general fund and cannot be used to offset deficits occurring in the other offices. Expenses of 10 offices so exceeded their fees and commissions that the State had to pay \$3,147,333 from these two sources in Fiscal 1987, compared to approximately \$3.3 million in Fiscal 1986.

In the 1986 Legislative Session, a significant step was taken to change the structure of funding the clerks' offices of the circuit courts by providing full funding. All state fees and commissions would be remitted to the State's general fund. A constitutional amendment was introduced, passed, and was ratified by the voters in November of 1986. Therefore, this is the last fiscal year in which clerks' offices will pay their costs from filing fees, costs and commissions from deficiency funds appropriated by the State. Beginning July 1, 1987, these offices will be fully state funded.

Other circuit court costs are funded locally by Maryland's 23 counties and Baltimore City. In Fiscal 1987, the appropriations by the local subdivisions were approximately \$27.3 million. Court-related revenues collected by the circuit court from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting nonsupport. Fines, forfeitures, and certain appearance fees are returned to the subdivisions.

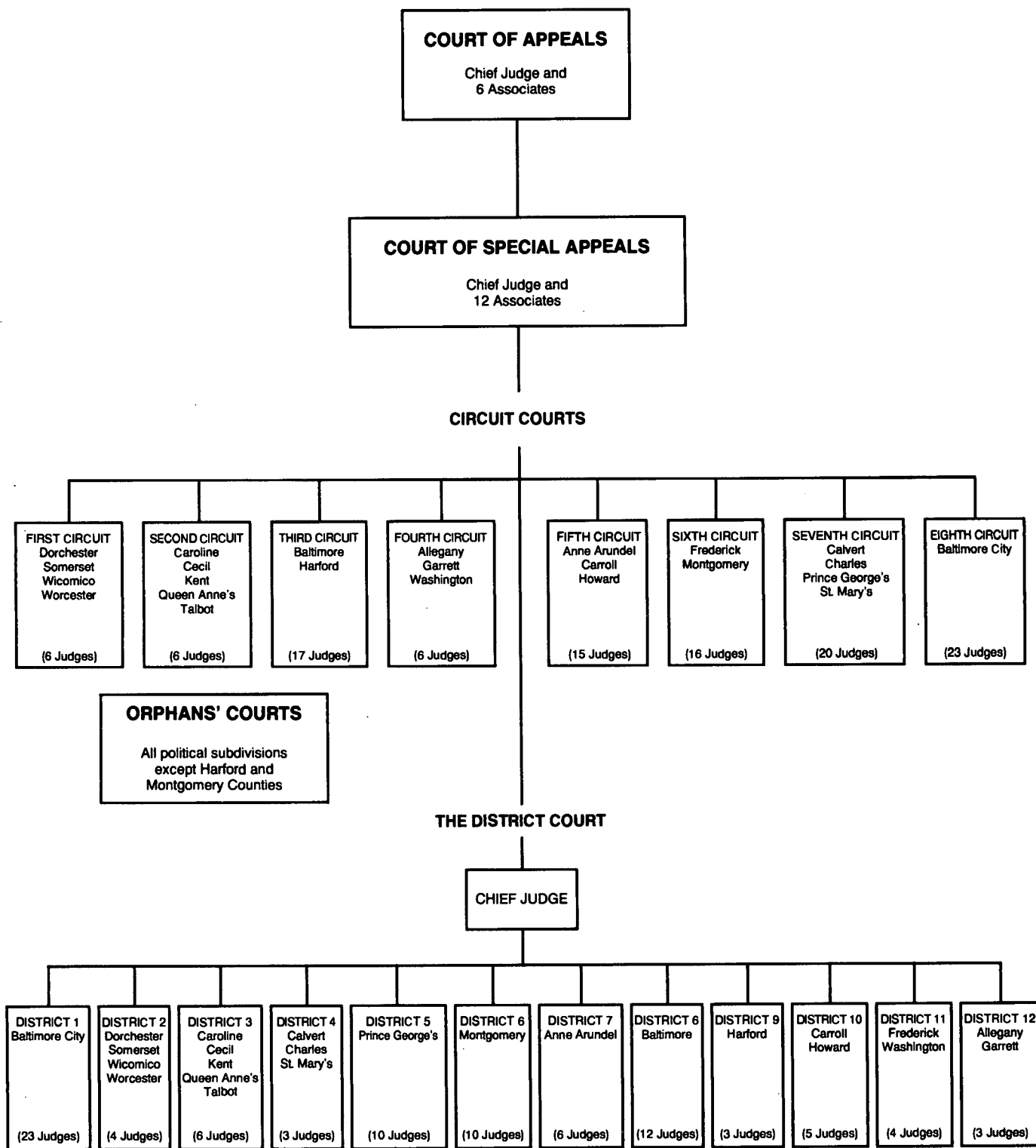
The chart illustrating the contributions by the State, the clerks' offices, and the local subdivisions to support the judicial branch of government, show that the state portion accounts for approximately 54% of all costs, while the local subdivisions and the clerks' offices account for 21% and 25%, respectively.



Source of funding to support the judicial branch of government

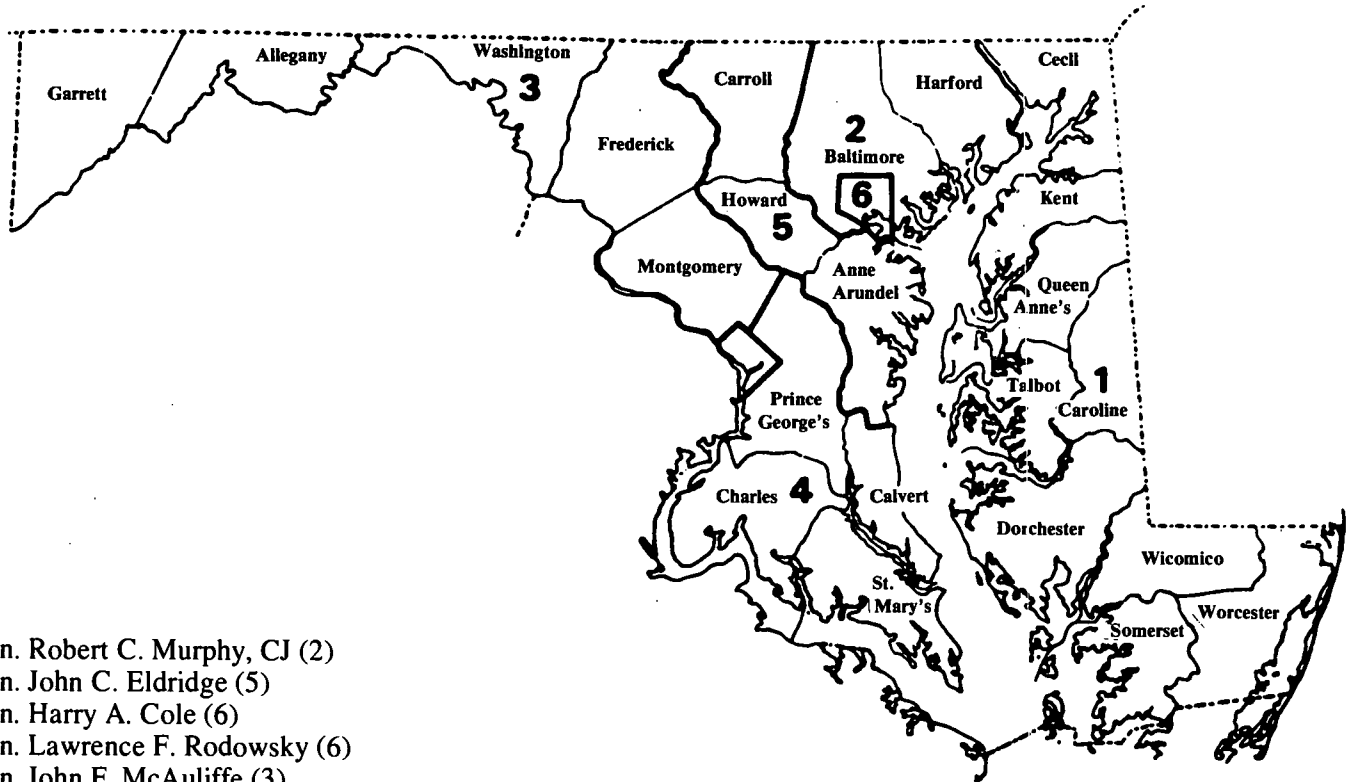
The Maryland Courts

THE MARYLAND JUDICIAL SYSTEM



The Court of Appeals

The Court of Appeals Judicial Map and Members as of September 1, 1987



Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Harry A. Cole (6)
Hon. Lawrence F. Rodowsky (6)
Hon. John F. McAuliffe (3)
Hon. William H. Adkins, II (1)
Hon. Albert T. Blackwell, Jr. (4)

The Court of Appeals

The Court of Appeals is the highest tribunal in the State of Maryland. It was created by the Constitution of 1776. In the early years of its existence, the Court sat in various locations throughout the State, but since 1851, it has only sat in Annapolis. At the present time, the Court is composed of seven members, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). Members of the Court run for office unopposed on their records, after initial appointment by the Governor and confirmation by the Senate. If a judge's retention in office is rejected by the voters or if the vote is tied, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. Since that time, the Court's formerly excessive workload has been reduced to a manageable level. This has allowed the Court to devote its efforts to the most important and far-reaching decisions.

The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that court before they are decided. The Court of Appeals may also review cases from the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which have the force of law. It admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified for review by federal and other state appellate courts.

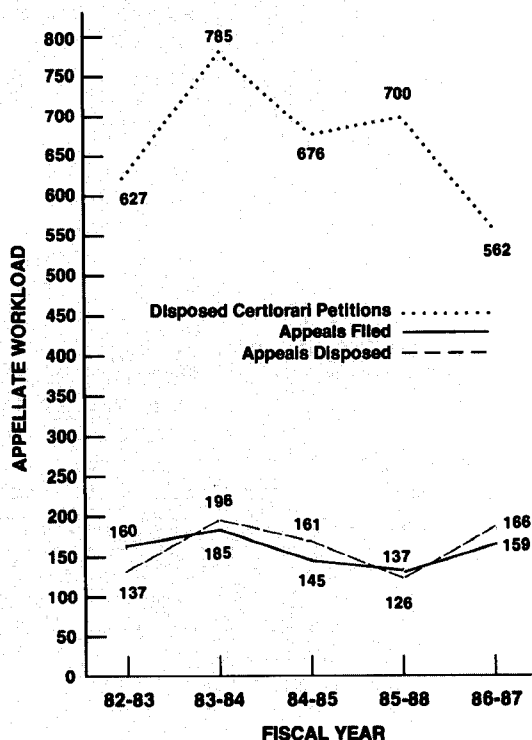
As indicated in Table CA-1, the number of regular docket appeals filed and terminated has fluctuated near the 160 level over the past five fiscal years. Disposed certiorari petitions showed a significant decrease during Fiscal 1987, declining from 700 disposed petitions in Fiscal 1986 to 562 in Fiscal 1987. Total case dispositions also decreased during Fiscal 1987 which directly corresponds to the decrease in certiorari petitions.

Filings

Matters filed on the September 1986 docket formed the incoming workload of the Court of Appeals for

TABLE CA-1

COURT OF APPEALS—APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



Fiscal Year 1987. Filings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. Filings are counted by Term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30, in this report.

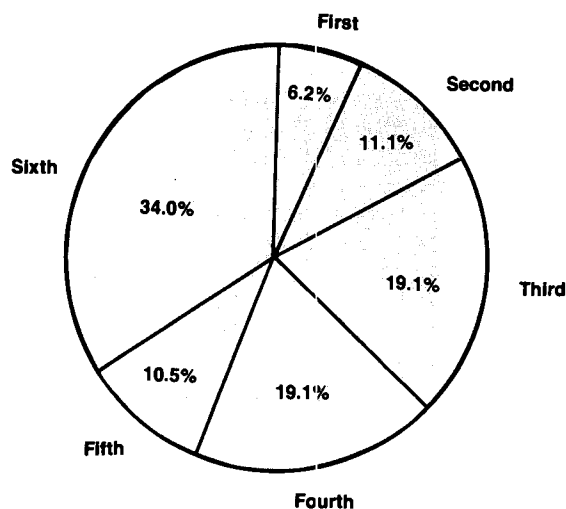
For the September 1986 Term, there was a total of 888 filings docketed. Included in the number of total filings were 655 petitions for certiorari; 162 regular cases; 44 attorney discipline proceedings; and 27 miscellaneous appeals, of which two were bar admission proceedings and five were certified questions of law from the United States District Court.

A party may file a petition for certiorari to review any case or proceeding pending in or decided by the Court of Special Appeals upon appeal from the circuit court or an orphan's court. The Court grants those

proceedings it feels are "desirable and in the public interest." Certiorari may also be granted, under certain circumstances, to cases that have been appealed to the circuit court from the District Court after initial appeal has been heard in the circuit court. Of the 562 petitions considered during Fiscal 1987, the Court granted 104 or 18.5 percent (Table CA-6). Of the 562 petitions considered during Fiscal 1987, 276 (49.1 percent) were criminal while the remaining 286 (50.9 percent) were categorized as civil (Table CA-9).

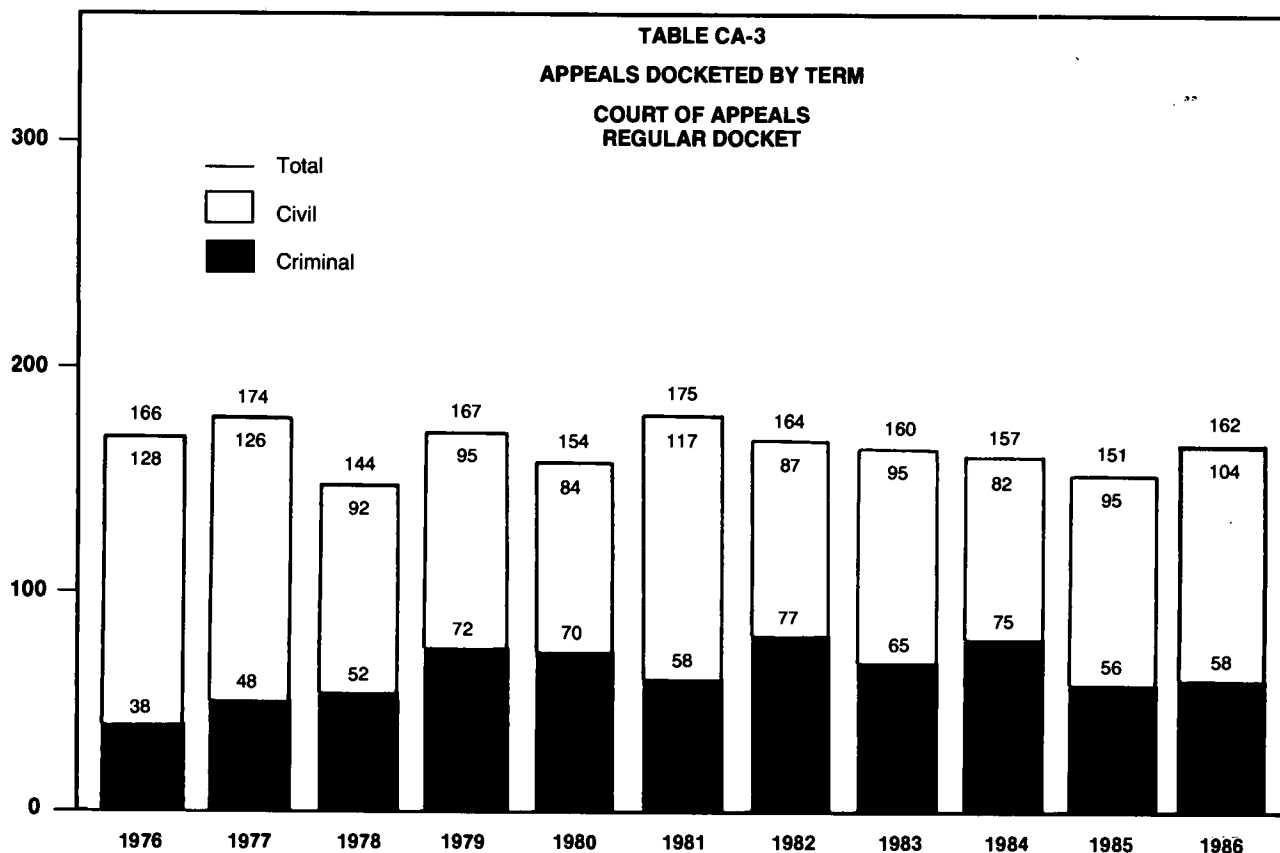
The Court assigns cases to its regular docket after certiorari has been granted. It may also, on its own motions, add cases to its regular docket from cases pending in the Court of Special Appeals. The Court identifies cases suitable for its consideration from a monthly review of appellants' briefs in the Court of Special Appeals. For the 1986 Term, a total of 162 cases was docketed (Table CA-3). Of that amount, 58 (35.8 percent) were criminal cases while 104 (64.2 percent) were civil which included equity, law, and juvenile cases. Geographically, Baltimore City contributed the greatest number of cases, 55 or 34 percent. The four largest counties contributed 77 (47.5 percent) and 30 cases (18.5 percent) came from the remaining 19 counties. Of the four largest counties, Prince George's contributed the most cases with 29, followed closely by Montgomery with 24. Baltimore and Anne Arundel contributed 16 and 8 cases, respectively (Table CA-7).

TABLE CA-2
ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS
COURT OF APPEALS
1986 TERM



First Appellate Circuit—10 or 6.2%
Second Appellate Circuit—18 or 11.1%
Third Appellate Circuit—31 or 19.1%
Fourth Appellate Circuit—31 or 19.1%
Fifth Appellate Circuit—17 or 10.5%
Sixth Appellate Circuit—55 or 34.0%
Total—State—162 or 100%

TABLE CA-3
APPEALS DOCKETED BY TERM
COURT OF APPEALS
REGULAR DOCKET



Dispositions

The Court of Appeals disposed of 784 cases during Fiscal Year 1987. Included in the number of total dispositions were 166 cases from the regular docket; 562 petitions for certiorari; 33 attorney grievance proceedings; and 23 miscellaneous appeals, of which two were bar admissions proceedings and four were certified questions of law (Table CA-4). The Court also admitted 1,258 persons to the practice of law; 189 of those individuals were attorneys from other jurisdictions.

During Fiscal Year 1987, the Court of Appeals disposed of 166 cases on its regular docket. Four of those cases were from the 1984 Term, 54 were from the 1985 Term, 103 were from the 1986 Term, and the remaining five cases were from the 1987 Term. Of the 166 dispositions, 100 (60.2 percent) were civil, 61 (36.8 percent) were criminal, and the remaining five cases (3.0 percent) were juvenile in nature. As to the type of disposition, 60 affirmed the lower court's decision, 58 reversed, and 24 were vacated and remanded to the lower court. Eleven decisions were affirmed in part, reversed in part; two cases were remanded without affirmance or reversal; six cases were dismissed without an opinion; four cases were dismissed prior to argument or submission; and one case was rescinded (Table CA-8).

The Court averaged 3.6 months from the time certiorari was granted to the date of argument. From argument to final decision, the average case took 5.3 months while the Court expended an average of 8.4 months to take a case from the date certiorari was granted to the date the decision was handed down (Table CA-10). During Fiscal 1987, the Court filed 132 majority opinions of which six were per curiam.

There were also eleven dissenting opinions and eight concurring opinions filed as well as four that were dissenting in part and concurring in part.

TABLE CA-4

DISPOSITION OF TOTAL CASELOAD COURT OF APPEALS

**JULY 1, 1986—JUNE 30, 1987
FISCAL 1987**

Regular Docket	166
Petitions for Certiorari	562
Attorney Grievance Proceedings	33
Bar Admissions Proceedings	2
Certified Questions of Law	4
Miscellaneous Appeals	17
Total Dispositions	784

Pending

At the close of Fiscal 1987, the Court had pending before it 124 cases. There was one case pending from the 1984 Term, ten from the 1985 Term, 56 from the 1986 Term, and 57 cases from the 1987 Term. The bulk of the cases pending from the 1987 Term were cases that had been filed at the end of Fiscal 1987 and were scheduled to be argued during the September 1987 Term. Approximately 53.2 percent (66) of the pending cases were civil, 43.5 percent (54) were criminal, and the remaining four were juvenile in nature (Table CA-5).

TABLE CA-5

CASES PENDING COURT OF APPEALS

Regular Docket

June 30, 1987

	Civil	Juvenile	Criminal	Total
Origin				
1984 Docket	1	0	0	1
1985 Docket	5	0	5	10
1986 Docket	27	2	27	56
1987 Docket	33	2	22	57
Total	66	4	54	124

Trends

Continuing the trend of the past few years, the Court of Appeals reported a total of 888 filings for the 1986 Term. Included in that number are 655 petitions for certiorari; 162 regular docket cases; 44 attorney discipline proceedings; and 27 miscellaneous appeals. Since the 1981 Term, the number of filings has exceeded the 850 mark with a high of 981 reported during the 1983 Term. Petition docket dispositions ranged from a high of 785 in Fiscal Year 1984 to a low of 562 in Fiscal Year 1987. However, the percentage of certiorari petitions granted has fluctuated over the past five fiscal years with no discernible trend. They have ranged from 13.3 percent to 19.1 percent.

The Court will no doubt continue to be faced with issues that will entail lengthy and complex litigation requiring extensive time and effort for disposition. Although there were less total dispositions—regular docket dispositions increased—during Fiscal 1987, the disposition time was approximately the same as was the number of pending cases. In Fiscal 1986, the average time from the granting of certiorari petitions to the final decision was 8.5 months compared to 8.4 months in Fiscal 1987. Also, there were 121 cases pending before the Court at the close of Fiscal 1986 compared to 124 at the close of Fiscal 1987. It is anticipated that in the years ahead, the Court of Appeals will have continuing demands placed on its time and effort in the disposition of its workload.

TABLE CA-6
FIVE-YEAR COMPARATIVE TABLE
PETITIONS FOR CERTIORARI GRANTED
FISCAL 1983—FISCAL 1987

Fiscal Year	Total Dispositions	Number Granted	Percentage
1983	627	120	19.1
1984	785	136	17.3
1985	678	90	13.3
1986	700	104	14.9
1987	562	104	18.5

TABLE CA-7		
ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF APPEALS		
1986 TERM		
FIRST APPELLATE CIRCUIT		10
Caroline County	0	
Cecil County	2	
Dorchester County	0	
Kent County	1	
Queen Anne's County	2	
Somerset County	1	
Talbot County	0	
Wicomico County	0	
Worcester County	4	
SECOND APPELLATE CIRCUIT		18
Baltimore County	16	
Harford County	2	
THIRD APPELLATE CIRCUIT		31
Allegany County	3	
Frederick County	2	
Garrett County	1	
Montgomery County	24	
Washington County	1	
FOURTH APPELLATE CIRCUIT		31
Calvert County	1	
Charles County	0	
Prince George's County	29	
St. Mary's County	1	
FIFTH APPELLATE CIRCUIT		17
Anne Arundel County	8	
Carroll County	5	
Howard County	4	
SIXTH APPELLATE CIRCUIT		55
Baltimore City	55	
TOTAL		162

TABLE CA-8

DISPOSITION OF
COURT OF APPEALS CASES

Regular Docket

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Civil	Juvenile	Criminal	Total
Affirmed	35	2	23	60
Reversed	34	2	22	58
Dismissed—Opinion Filed	0	0	0	0
Dismissed Without Opinion	4	0	2	6
Remanded Without Affirmance or Reversal	1	0	1	2
Vacated and Remanded	17	1	6	24
Affirmed in Part, Reversed in Part	4	0	7	11
Dismissed Prior to Argument or Submission	4	0	0	4
Transferred to Court of Special Appeals	0	0	0	0
Rescinded	1	0	0	1
Origin				
1984 Docket	3	0	1	4
1985 Docket	28	0	26	54
1986 Docket	66	4	33	103
1987 Docket	3	1	1	5
Total Cases Disposed During Fiscal 1987	100	5	61	166

TABLE CA-9
PETITION DOCKET DISPOSITIONS*
 (Petitions for Certiorari)
 JULY 1, 1986—JUNE 30, 1987
 FISCAL 1987

	Granted	Dismissed	Denied	Withdrawn	Total
PETITIONS	104	7	446	5	562
Civil	62	4	216	4	286
Criminal	42	3	230	1	276

*654 filed in Fiscal 1987.

TABLE CA-10
AVERAGE TIME INTERVALS FOR CASES
DISPOSED BY COURT OF APPEALS
 Regular Docket
 JULY 1, 1986—JUNE 30, 1987
 FISCAL 1987

	Certiorari Granted to Argument or to Disposition Without Argument ^a	Argument to Decision ^b	Certiorari Granted to Decision ^a
Days	109	160	253
Months	3.6	5.3	8.4
Number of Cases	166	150	166

^aIncludes all cases disposed in Fiscal 1987.

^bIncludes all cases disposed in Fiscal 1987 which were argued.

TABLE CA-11
FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF APPEALS
(In Days and Months)

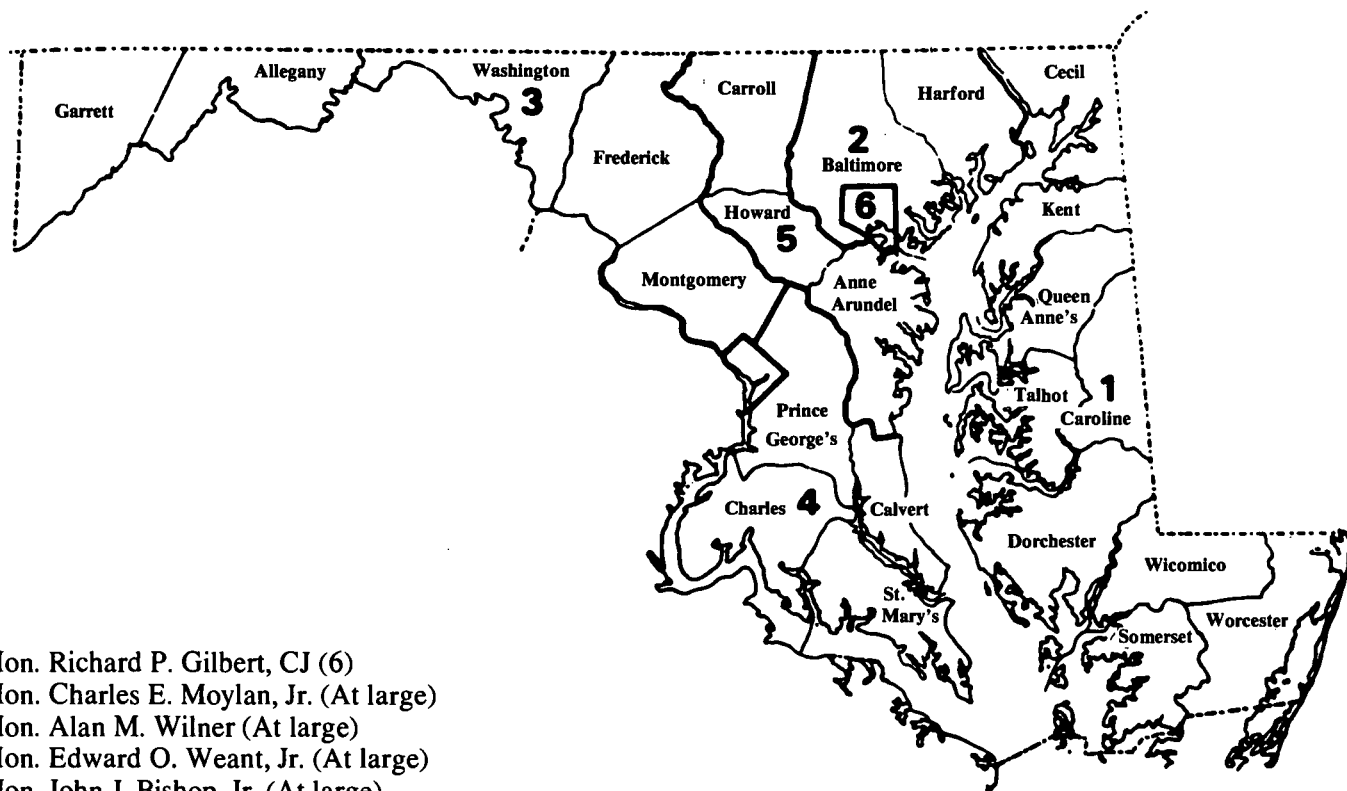
Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1982	308 10.3	125 4.2
1983	354 11.8	125 4.2
1984	349 11.6	102 3.4
1985	303 10.1	124 4.1
1986	357 11.9	128 4.3

The Court of Special Appeals

The Court of Special Appeals

Judicial Map and Members

as of September 1, 1987



Hon. Richard P. Gilbert, CJ (6)
 Hon. Charles E. Moylan, Jr. (At large)
 Hon. Alan M. Wilner (At large)
 Hon. Edward O. Weant, Jr. (At large)
 Hon. John J. Bishop, Jr. (At large)
 Hon. John J. Garrity (4)
 Hon. Paul E. Alpert (2)
 Hon. Theodore G. Bloom (5)
 Hon. Rosalyn B. Bell (At large)
 Hon. Robert L. Karwacki (At large)
 Hon. Robert M. Bell (6)
 Hon. William W. Wenner (3)
 Hon. Richard M. Pollitt (1)

The Court of Special Appeals

The Court of Special Appeals was created in 1966 as Maryland's intermediate appellate court. Its creation was the result of a rapidly growing caseload in the Court of Appeals which had caused a substantial backlog to develop in that Court.

The Court of Special Appeals sits in Annapolis and is composed of thirteen members, a chief judge and twelve associates. One member of the court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. As in the Court of Appeals, members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

Unless otherwise provided by law, the Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from the circuit courts. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, and appeals from criminal guilty pleas.

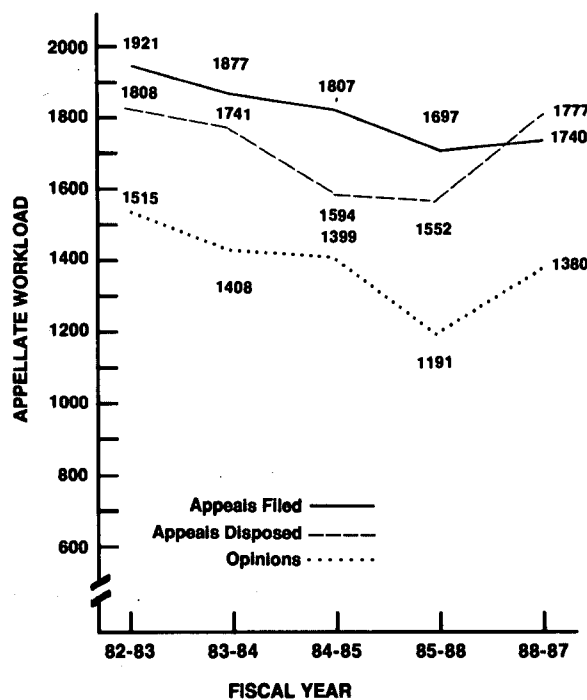
Filings

The September 1986 Term docket formed the major portion of the incoming workload of the Court of Special Appeals for Fiscal Year 1987. As in the Court of Appeals, filings received from March 1 through February 28 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. In the *Annual Report*, filings are counted by Term, March 1 through February 28, and dispositions are counted by fiscal year, July 1 through June 30.

During the September 1986 Term, the Court of Special Appeals received 1,714 filings on its regular docket, an increase of 4.3 percent over the 1,644 filings reported during the previous term. Civil cases comprised 51.3 percent (879) of the total filings while the remaining 48.7 percent (835) were criminal in nature (Table CSA-2). The increase in overall filings can be mostly attributed to the increase in criminal filings (7.2 percent). Over the past several years, the number of criminal filings showed a general decrease

TABLE CSA-1

COURT OF SPECIAL APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



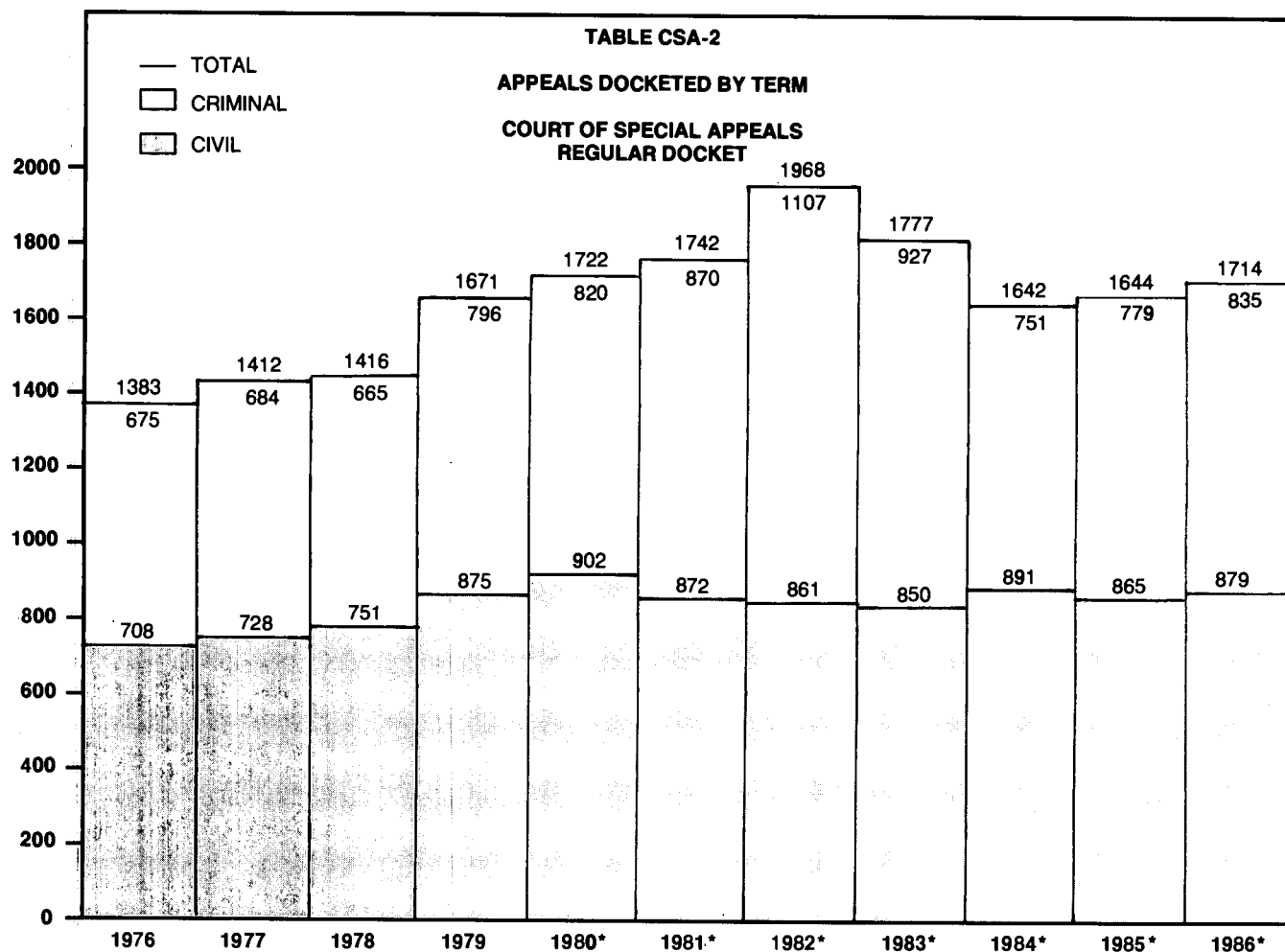
after the adoption of § 12-302 of the Courts Article and Maryland Rule 1096 which became effective July 1, 1983. Under these provisions, the right of direct appeal was removed in criminal cases, where a guilty plea was entered. In those instances, an application for leave to appeal must be filed and it is at the discretion of the Court whether or not to place the case on the regular docket (Table CSA-5). While it is true that during the 1986 Term the number of criminal cases has increased slightly, it has not reached the same level of the September Term, 1982—the year before automatic review of guilty pleas was changed.

In the civil area, the Court of Special Appeals has used the procedure of prehearing conferences to identify cases it feels are suitable for resolution by the parties. An information report, which is a summarization of the case below and the action taken by the circuit court, is filed in each civil case where an appeal has been noted. There were 1,062 information

reports received during the September 1986 Term, a decrease of 1.8 percent from the 1985 Term. Of the 1,062 reports received, 531 (50 percent) were assigned for prehearing conferences compared to 62 percent and 41 percent assigned during the 1985 and 1984 Terms, respectively (Table CSA-3). Of the cases assigned to conference, 22 percent (116) were dismissed or settled before, at or as a result of the conference during the 1986 Term. Ten percent (50) were dismissed or remanded after the prehearing conferences which likely occurred as a result of the conference. Four percent (23) of the cases proceeded with their appeals expedited while one percent (6) of the cases had their issues limited at or as a result of the conferences. Three percent (18) of the cases were pending at the end of the term awaiting prehearing conferences (Table CSA-4).

A majority of the appeals docketed in the Court of Special Appeals were from Baltimore City, 27.4

percent (469). The four largest counties contributed 48.3 percent (828) of the total appeals docketed on the regular docket during the 1986 Term. Montgomery County contributed the greatest number with 15.5 percent (265) followed by Baltimore County with 12.6 percent (216). Prince George's and Anne Arundel Counties contributed 12.2 percent (209) and 8.1 percent (138), respectively (Table CSA-7). In terms of circuit distribution, appeals ranged from 8.4 percent in the First Appellate Circuit (all of the counties on the Eastern Shore) to 27.4 percent in the Sixth Appellate Circuit which is comprised of only Baltimore City (Table CSA-8). The ratio of appeals in the Court of Special Appeals to trials in the circuit courts was 0.14 which means that 14 percent of the trials conducted in the circuit courts during Fiscal 1986 were docketed on the regular docket in the Court of Special Appeals during the 1986 Term. That figure is relatively consistent with the previous year ratio of 15 percent.



*Does not include civil notices of appeal which were filed in the Clerk's Office pursuant to Maryland Rules 1022-1024. These appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024 a.1. Cases finally disposed of by prehearing conference are never placed on the regular docket or listed as filings. Cases not finally disposed of by this process will be placed on subsequent dockets and will then be included among filings.

TABLE CSA-3
PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS

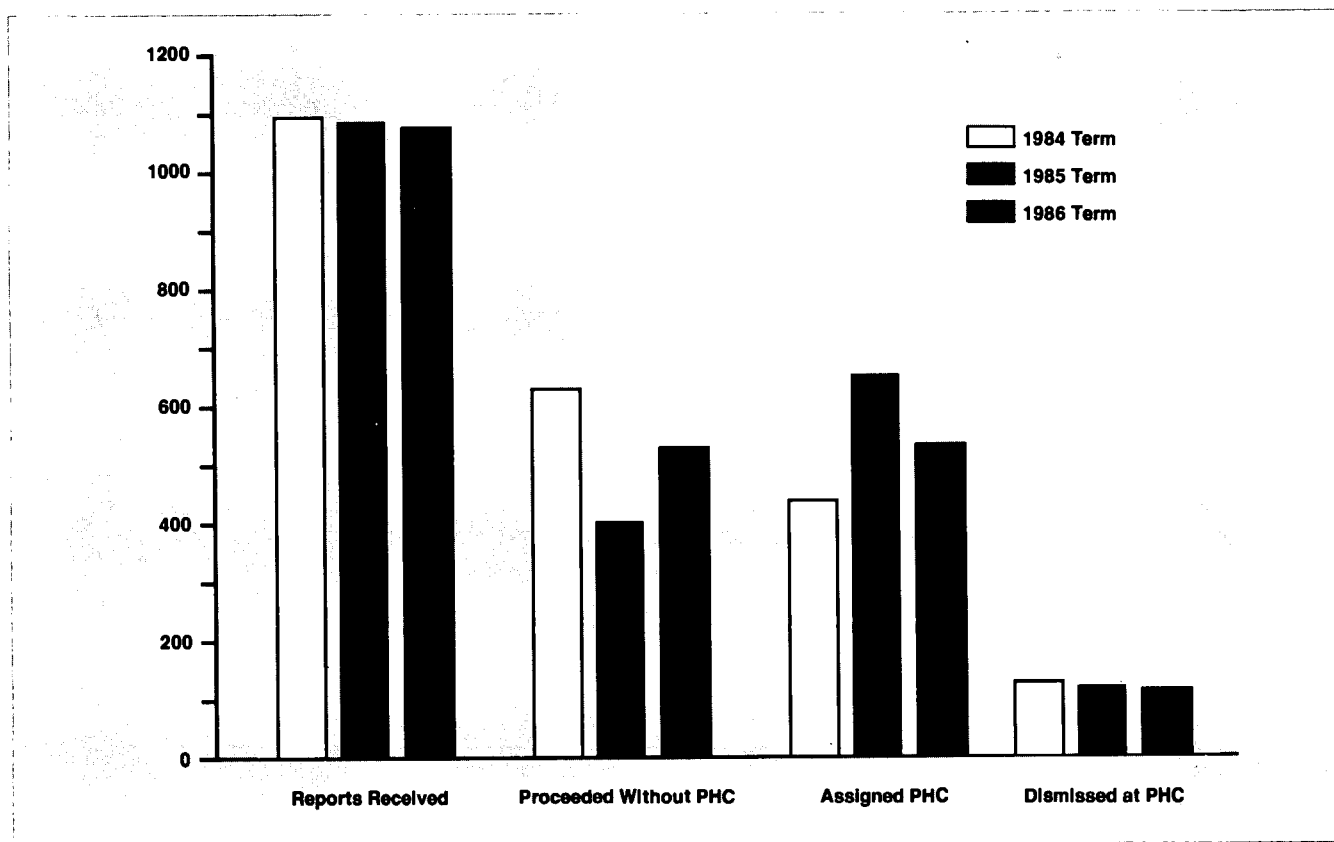
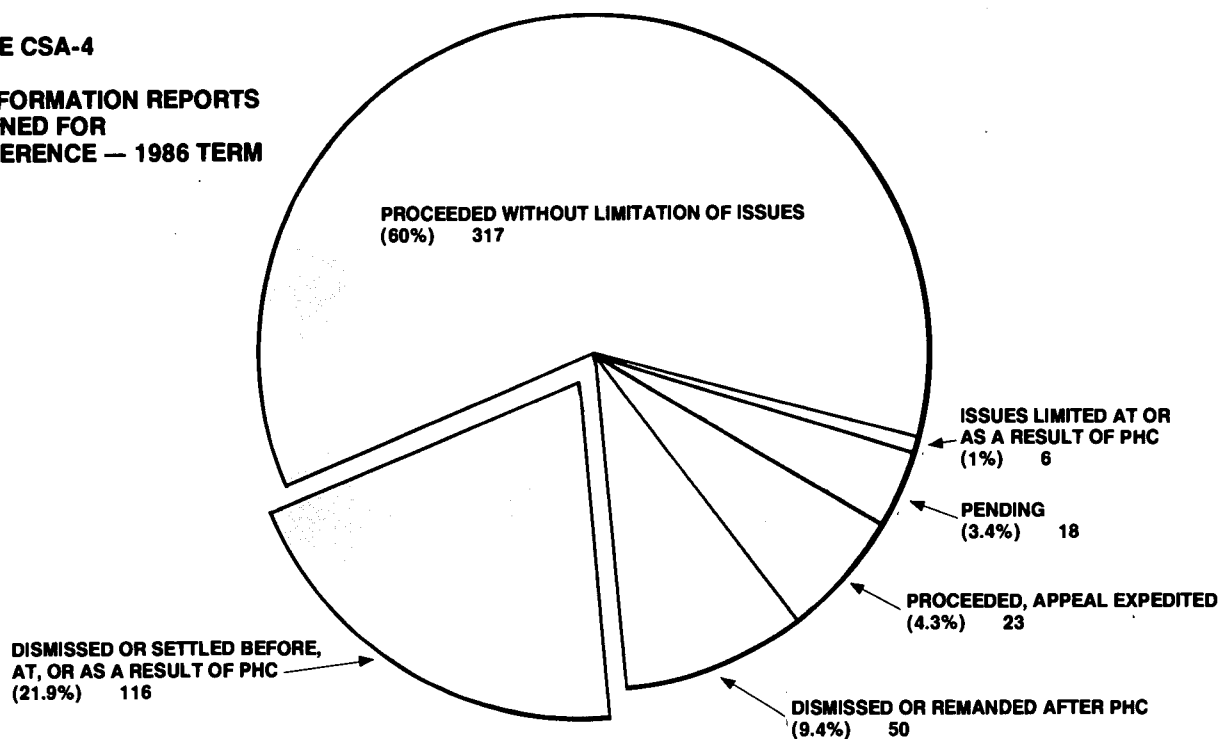


TABLE CSA-4
DISPOSITION OF INFORMATION REPORTS
ASSIGNED FOR
PREHEARING CONFERENCE — 1986 TERM



Dispositions

During Fiscal Year 1987, the Court of Special Appeals disposed of 1,777 cases, an increase of 14.5 percent over Fiscal 1986. Of that amount, there were 160 cases from the 1985 Docket; 1,535 cases from the 1986 Docket; and 82 cases were from the 1987 Docket. Approximately 49.2 percent (874) of disposed cases were civil, 47.3 percent (840) were criminal, and the remaining 3.5 percent (63) were juvenile in nature (Table CSA-10).

Affirmances of the lower court accounted for over 55 percent of the decisions handed down by the Court during Fiscal 1987. Criminal cases accounted for the greatest number of affirmed cases, 577 (58.9 percent), followed by civil cases, 373 (38.1 percent), and juvenile cases with 29 or 3 percent of the affirmances. The highest rate of affirmed cases was also criminal in nature—577 out of 840 (68.7 percent). Juvenile cases had the next highest rate with 46 percent of its cases being affirmed (29 out of 63 cases) followed by civil cases with a rate of 42.7 percent or 373/874 cases. There were also 97 cases that were affirmed in part and reversed in part while 342 cases were dismissed prior to argument or submission. Table CSA-10 provides a further breakdown of case dispositions.

The Court also disposed of 294 cases on its miscellaneous docket including: 196 post conviction

cases; nine inmate grievance cases; and 89 "other" miscellaneous cases which included habeas corpus/bail cases, motions for stay of execution of order pending appeal and appeals from criminal guilty pleas. The Court granted 20 applications for leave to appeal of which 13 were post conviction cases. It also denied 237 applications and remanded four. The remaining 33 applications were either dismissed or transferred. Table CSA-5 provides further information on the miscellaneous docket.

During Fiscal Year 1987, it took an average of 4.2 months from docketing to argument (or to disposition without argument) and one month from argument to decision in the Court of Special Appeals (Table CSA-11). The average time from the original filing to disposition in the lower court was 12.5 months, while the time period from disposition in the circuit court to docketing in the Court of Special Appeals was 3.8 months. Both time intervals represent decreases from the past few years (Table CSA-12). Overall, it took an average of 21.5 months from the original filing of a case in the circuit court to its disposition in the Court of Special Appeals.

There were 1,357 majority opinions filed during Fiscal 1987 of which 233 were reported and 1,124 were unreported. There were also 19 dissenting opinions filed and four concurring opinions filed.

TABLE CSA-5
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Granted	Dismissed or Transferred	Denied	Remanded	Total
Post Conviction	13	18	161	4	196
Inmate Grievance	1	1	7	0	9
Other Miscellaneous*	6	14	69	0	89
TOTALS	20	33	237	4	294

*Includes habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas.

NOTE: Counts one outcome per case. Does not include reconsiderations of cases disposed in prior fiscal years or return of remanded cases.

Pending

At the close of Fiscal Year 1987, there were 632 cases pending in the Court of Special Appeals on its regular docket. That figure included one case from the 1985 Docket, 109 cases from the 1986 Docket, and 522

cases from the 1987 Docket. The cases pending from the 1986 Docket were generally argued at the end of Fiscal 1987 and were awaiting opinions, while those pending from the 1987 Docket were being scheduled for argument during the current term (Table CSA-6).

TABLE CSA-6
PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1987

	Civil	Juvenile	Criminal	Total
Origin				
1985 Docket	1	0	0	1
1986 Docket	50	2	57	109
1987 Docket	225	16	281	522
Total Cases Pending at Close of Fiscal 1987	276	18	338	632

Trends

The workload of the Court of Special Appeals continues to experience increases both in the criminal and civil areas. There was a dramatic increase from the 1979 Term when there were 1,671 appeals docketed to the 1982 Term when 1,968 appeals were docketed. The increase was directly attributable to the increase in criminal filings which rose over 66 percent between the 1978 (665 criminal appeals) and 1982 (1,107 criminal appeals) Terms (Table CSA-2). The number of appeals did not show a decrease until the 1983 Term when 1,777 appeals, of which 927 were criminal, were docketed. It appeared that the number of criminal appeals had stabilized during the 1984 and 1985 Terms when there were 751 and 779 criminal appeals, respectively, reported. However, during the 1986 Term, the number of criminal appeals (835) increased by 7.2 percent, thus attributing to the overall increase in regular docket appeals. It now seems as though criminal appeals may be on the climb once more.

The initial decrease in criminal filings was attributable to a law enacted in 1983 (Chapter 295 of the 1983 Acts), which allows cases involving a review of judgment following a plea of guilty to be treated as a discretionary appeal rather than an appeal as a matter of right. Individuals appealing from a guilty plea must first file an application for leave to appeal. If granted, the appeal is transferred to the regular

docket. Although this process helped to control the number of regular docket appeals, it resulted in the initial increase in the number of applications for leave to appeal. There were 128 applications for leave to appeal and other miscellaneous appeals disposed of by the Court during Fiscal 1983 compared to 308 during Fiscal 1984. Like the criminal appeals, the number of applications for leave to appeal appeared to have stabilized during Fiscal Years 1985 and 1986 when 192 and 185 applications were disposed of. However, during Fiscal 1987, the number of applications disposed of (294) was back to the Fiscal 1984 level.

In an effort to keep current with its expanding workload, the Court has continued several innovative programs. There was an expedited appeal process initiated to aid the Court and the litigants in identifying and processing cases in a more rapid manner (see Maryland Rule 1029). The Court of Special Appeals has also continued to use the prehearing conference procedure in an attempt to curtail the number of civil cases. The primary objective is to either settle the cases or limit the issues prior to final preparation of the case on appeal. This technique appears to have been very effective.

If the current trend continues, the Court of Special Appeals may anticipate an increase in the number of criminal filings and overall filings. An increase of filings on the miscellaneous docket and applications for leave to appeal also appears likely.

TABLE CSA-7

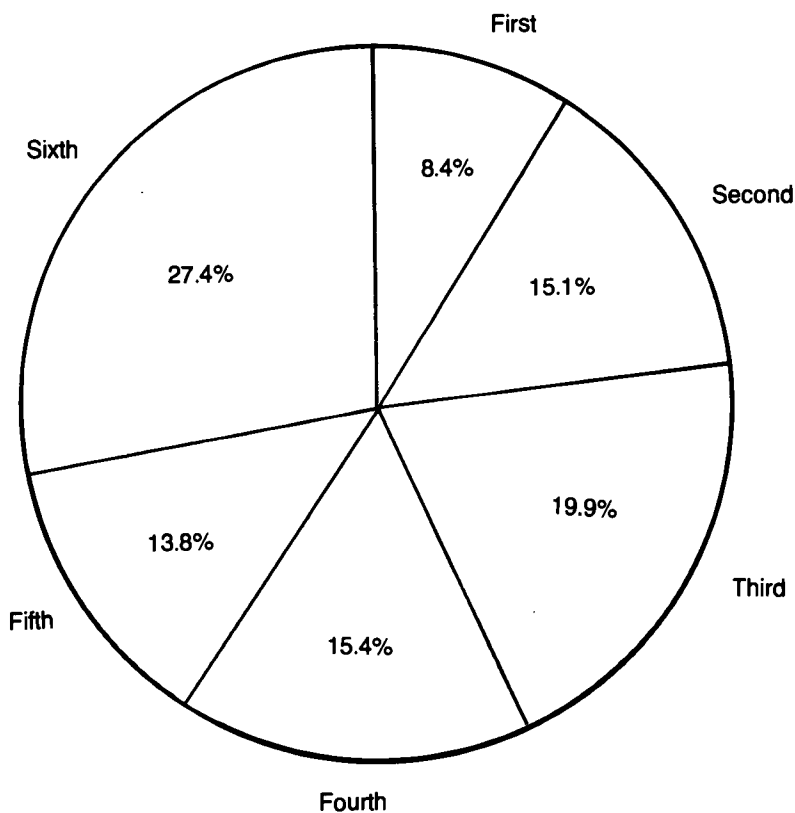
ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF SPECIAL APPEALS

Regular Docket

1986 Term

FIRST APPELLATE CIRCUIT		144
Caroline County	10	
Cecil County	34	
Dorchester County	10	
Kent County	15	
Queen Anne's County	6	
Somerset County	9	
Talbot County	10	
Wicomico County	23	
Worcester County	27	
SECOND APPELLATE CIRCUIT		258
Baltimore County	216	
Harford County	42	
THIRD APPELLATE CIRCUIT		342
Allegany County	19	
Frederick County	13	
Garrett County	8	
Montgomery County	265	
Washington County	37	
FOURTH APPELLATE CIRCUIT		264
Calvert County	24	
Charles County	20	
Prince George's County	209	
St. Mary's County	11	
FIFTH APPELLATE CIRCUIT		237
Anne Arundel County	138	
Carroll County	36	
Howard County	63	
SIXTH APPELLATE CIRCUIT		469
Baltimore City	469	
TOTAL		1,714

TABLE CSA-8
ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS
COURT OF SPECIAL APPEALS
1986 TERM
REGULAR DOCKET



First Appellate Circuit—144 or 8.4%
 Second Appellate Circuit—258 or 15.1%
 Third Appellate Circuit—342 or 19.9%
 Fourth Appellate Circuit—264 or 15.4%
 Fifth Appellate Circuit—237 or 13.8%
 Sixth Appellate Circuit—469 or 27.4%
 Total—State—1,714 or 100%

TABLE CSA-9

**RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS
FILINGS ON 1986 REGULAR DOCKET
AND CIRCUIT COURT TRIALS IN FISCAL 1986**

Jurisdiction	Court of Special Appeals 1986 Regular Docket	Circuit Court Fiscal 1986 Trials	Ratio of Appeals to Trials
Kent County	15	12	1.25
Baltimore County	216	669	.32
Montgomery County	265	1,074	.25
Baltimore City	469	2,001	.23
St. Mary's County	11	53	.21
Washington County	37	175	.21
Talbot County	10	63	.16
Anne Arundel County	138	894	.15
Somerset County	9	63	.14
Howard County	63	508	.12
Calvert County	24	193	.12
Carroll County	36	289	.12
Prince George's County	209	2,691	.08
Worcester County	27	321	.08
Wicomico County	23	303	.08
Cecil County	34	449	.08
Harford County	42	557	.08
Allegany County	19	224	.08
Queen Anne's County	6	73	.08
Garrett County	8	107	.07
Caroline County	10	136	.07
Dorchester County	10	137	.07
Charles County	20	520	.04
Frederick County	13	469	.03
TOTAL	1,714	11,981	.14

TABLE CSA-10

CASES DISPOSED BY
COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Civil	Juvenile	Criminal	Total
Affirmed	373	29	577	979
Reversed	118	6	67	191
Dismissed—Opinion Filed	43	1	4	48
Dismissed Without Opinion	5	0	1	6
Remanded Without Affirmance or Reversal	8	4	5	17
Vacated and Remanded	26	0	11	37
Affirmed in Part, Reversed in Part	34	4	59	97
Dismissed Prior to Argument or Submission	217	14	111	342
Transferred to Court of Appeals	50	5	5	60
Origin				
1985 Docket	76	4	80	160
1986 Docket	734	58	743	1,535
1987 Docket	64	1	17	82
Total Cases Disposed During Fiscal 1987	874	63	840	1,777

TABLE CSA-11

**AVERAGE TIME INTERVALS FOR
CASES DISPOSED BY
COURT OF SPECIAL APPEALS**

Regular Docket

**JULY 1, 1986—JUNE 30, 1987
FISCAL 1987**

	Docketing to Argument or to Disposition Without Argument^a	Argument to Decision^b
Days	127.1	30.6
Months	4.2	1.0
Number of Cases	1,777	1,362

^aIncludes all cases disposed in Fiscal 1987.

^bIncludes all cases disposed in Fiscal 1987 which were argued.

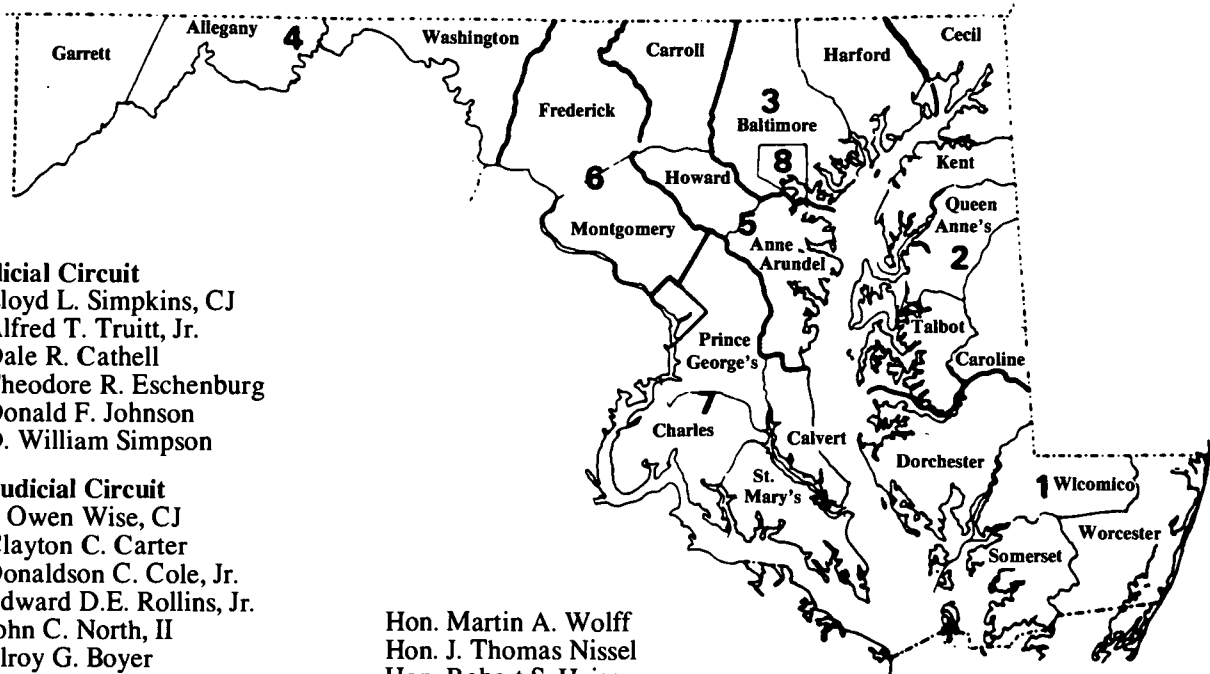
TABLE CSA-12

**FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF SPECIAL APPEALS**

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1982	349 11.6	126 4.2
1983	392 13.1	115 3.8
1984	402 13.4	126 4.2
1985	389 13.0	121 4.0
1986	375 12.5	115 3.8

The Circuit Courts — Judiciary Map and Members
as of September 1, 1987

**First Judicial Circuit**

*Hon. Lloyd L. Simpkins, CJ
Hon. Alfred T. Truitt, Jr.
Hon. Dale R. Cathell
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson

Second Judicial Circuit

*Hon. J. Owen Wise, CJ
Hon. Clayton C. Carter
Hon. Donaldson C. Cole, Jr.
Hon. Edward D.E. Rollins, Jr.
Hon. John C. North, II
Hon. Elroy G. Boyer

Third Judicial Circuit

*Hon. Frank E. Cicone, CJ
Hon. Edward A. DeWaters, Jr.
Hon. William R. Buchanan, Sr.
Hon. Brodnax Cameron, Jr.
Hon. James S. Sfekas
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. A. Owen Hennegan
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. William M. Nickerson
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.

Fourth Judicial Circuit

Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure

Fifth Judicial Circuit

Hon. Morris Turk, CJ
Hon. Bruce C. Williams
*Hon. Raymond G. Thieme, Jr.
Hon. Robert F. Fischer
Hon. Donald J. Gilmore
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner

Hon. Martin A. Wolff
Hon. J. Thomas Nissel
Hon. Robert S. Heise
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Vacancy

Sixth Judicial Circuit

*Hon. John J. Mitchell, CJ
Hon. Richard B. Latham
Hon. Stanley B. Frosh
Hon. William M. Cave
Hon. Calvin R. Sanders
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. Clater W. Smith, Jr.
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte
Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein

Seventh Judicial Circuit

*Hon. Ernest A. Loveless, Jr., CJ
Hon. Perry G. Bowen, Jr.
Hon. William H. McCullough
Hon. James H. Taylor
Hon. Jacob S. Levin
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Howard S. Chasanow
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross

Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G.R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
Vacancy

Eighth Judicial Circuit

Hon. Robert I.H. Hammerman, CJ
Hon. David Ross
Hon. Marshall A. Levin
Hon. Mary Arabian
Hon. Martin B. Greenfeld
*Hon. Joseph H.H. Kaplan
Hon. Edgar P. Silver
Hon. Elsbeth Levy Bothe
Hon. Joseph I. Pines
Hon. John Carroll Byrnes
Hon. Thomas Ward
Hon. Kenneth Lavon Johnson
Hon. Edward J. Angeletti
Hon. Arrie W. Davis
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Hilary D. Caplan
Hon. Kathleen O'Ferrall Friedman
Hon. Marvin B. Steinberg
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Hon. Ellen M. Heller

*Circuit Administrative Judge

The Circuit Courts

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits contains two or more counties while the Eighth Judicial Circuit consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1986, there were 109 circuit court judges with at least one judge for each county and 23 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

Each circuit judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

Circuit court filings increased by 4.1 percent during Fiscal Year 1987. There were 197,625 total filings reported for Fiscal 1987 compared to 189,899 in Fiscal 1986 (Table CC-2). The greatest increase was reported in criminal cases which increased by 13.5 percent, followed by juvenile causes, increasing by 4.8 percent (Tables CC-23 and CC-27). The only decrease was reported in civil filings, 0.5 percent (Table CC-19).

Civil case filings represented the highest percentage of cases filed during Fiscal 1987—53.7 percent (Table CC-7). The five major jurisdictions accounted for the majority of the civil filings with 73.7 percent. Baltimore City contributed the greatest percent with 21.9 percent (23,282), followed by Prince George's and Montgomery Counties with 19.6 percent (20,817)

and 11.9 percent (12,670), respectively. Baltimore County reported 11.0 percent (11,633) while Anne Arundel reported 9.3 percent (9,835). The remaining 19 counties reported 26.3 percent (27,956) of the civil filings (Table CC-19). That figure represents an increase of 4.1 percent over Fiscal 1986. The most significant changes, with respect to case type, were increases in the contract and contested confessed judgment categories and decreases in the de novo appeals from the District Court.

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court for Montgomery County reported that it conducted 179 hearings and signed 2,532 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 10 hearings and signed 478 orders.

Unlike civil filings, criminal case filings reported an increase of 13.5 percent in Fiscal 1987 over the previous year. There were 48,660 criminal filings reported in Fiscal 1986 compared to 55,247 in Fiscal 1987 (Table CC-23). Criminal case filings represented 28 percent of the total filings reported. As shown on Table CC-5, jury trial prayer requests increased by 21.3 percent, contributing to the overall increase in criminal filings. Jury trial prayer requests rose from 23,284 in Fiscal 1986 to 28,244 in Fiscal 1987. Also contributing to the increase in criminal case filings were increases in the indictment/information category and motor vehicle appeals from the District Court which increased by 13.7 percent and 18.7 percent, respectively. Baltimore City and the other four major jurisdictions continue to contribute the greatest number of criminal filings with 42,014 or 76 percent (Table CC-23). The greatest number of cases came from Baltimore City with 16,151 followed by Baltimore County, 8,717, and Prince George's County with 7,559 criminal cases. Montgomery County reported 6,207 criminal case filings while Anne Arundel recorded 3,380 criminal cases. All five major jurisdictions indicated a record number of criminal filings in Fiscal 1987.

Also increasing during the fiscal year were juvenile matters. There were 34,523 juvenile filings reported in Fiscal 1986 compared to 36,185 in Fiscal 1987, an increase of 4.8 percent. Overall, juvenile filings represented 18.3 percent of the circuit court filings reported during Fiscal 1987 (Table CC-7). A significant percent of the juvenile cases filed, 83.6 percent (80,247), came from Baltimore City and the four largest jurisdictions. Baltimore City contributed the greatest amount with 35.6 percent (12,869), followed by Prince George's County—17 percent (6,149). Seventy-six percent of all juvenile filings were delinquency cases (Table CC-8).

TABLE CC-1

CIRCUIT COURT—FILINGS BY FISCAL YEAR

	1982-83	1983-84	1984-85	1985-86	1986-87
Filings	155,278	165,169	175,785	189,899	197,625
Terminations	129,198	150,913	155,397	159,559	164,668

Includes Montgomery County Juvenile Causes

Percentage of breakdown of filings

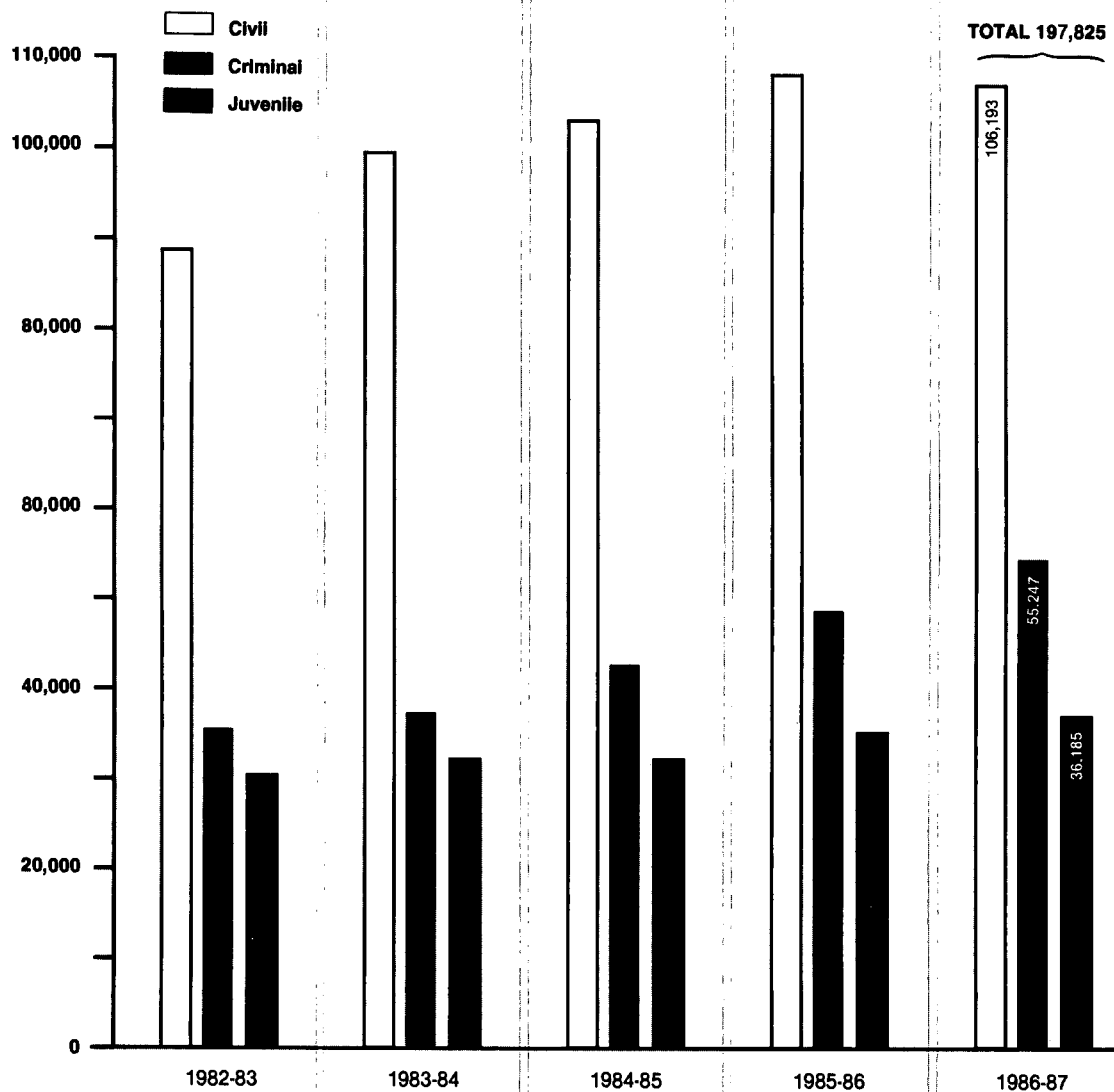
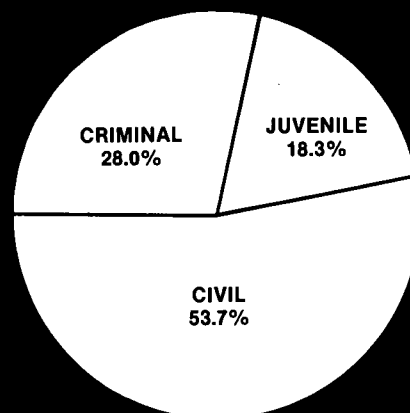


TABLE CC-2
FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS
FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	6,198	5,803	6,398	6,201	6,366	5,899	7,552	7,205	7,670	7,313
Dorchester	1,156	988	1,305	1,204	1,480	1,408	1,837	1,960	1,865	1,722
Somerset	675	488	800	799	759	688	940	898	1,021	951
Wicomico	2,669	2,661	2,583	2,573	2,245	2,171	2,644	2,375	2,604	2,528
Worcester	1,698	1,666	1,710	1,625	1,882	1,632	2,131	1,972	2,180	2,112
SECOND CIRCUIT	5,602	5,534	5,369	5,081	5,625	5,368	5,891	5,348	6,259	5,533
Caroline	750	713	687	683	897	747	977	986	1,016	836
Cecil	2,311	2,367	2,356	2,133	2,484	2,435	2,376	2,121	2,549	2,245
Kent	430	402	388	365	372	402	551	427	668	648
Queen Anne's	1,054	1,049	991	937	939	977	944	909	951	898
Talbot	1,057	1,003	947	963	933	807	1,043	905	1,075	906
THIRD CIRCUIT	22,281	21,032	22,931	21,102	25,144	21,298	28,487	23,661	29,792	25,179
Baltimore	18,341	18,038	18,352	17,526	20,176	17,515	23,137	19,543	24,325	20,603
Harford	3,940	2,994	4,579	2,576	4,968	3,783	5,350	4,118	5,467	4,576
FOURTH CIRCUIT	5,130	4,932	5,378	4,970	5,947	5,578	6,645	5,791	6,679	5,704
Allegany	1,577	1,658	1,544	1,232	1,702	1,564	1,935	1,553	1,828	1,392
Garrett	724	757	701	761	718	698	684	692	747	745
Washington	2,829	2,517	3,133	2,977	3,527	3,316	4,026	3,546	4,104	3,567
FIFTH CIRCUIT	19,906	16,318	23,727	21,959	26,037	23,322	26,681	22,005	25,329	23,393
Anne Arundel	13,198	10,135	16,501	15,265	18,250	15,837	18,257	14,469	16,723	15,618
Carroll	3,190	2,929	3,434	3,091	3,543	3,356	3,603	3,327	3,757	3,314
Howard	3,518	3,254	3,792	3,603	4,244	4,129	4,821	4,209	4,849	4,461
SIXTH CIRCUIT	20,782	17,495	22,596	20,320	23,472	21,871	24,526	20,887	26,011	18,601
Frederick	2,357	2,537	2,574	2,371	2,718	2,699	3,163	2,802	3,388	2,841
Montgomery*	18,425	14,958	20,022	17,949	20,754	19,172	21,363	18,085	22,623	15,760
SEVENTH CIRCUIT	32,485	28,523	35,561	36,099	36,066	30,834	39,422	33,191	43,583	40,649
Calvert	1,156	1,130	1,317	1,134	1,467	1,335	1,585	1,582	1,536	1,488
Charles	3,126	2,919	3,010	2,768	3,195	3,040	3,804	3,549	4,710	4,124
Prince George's	26,551	22,838	29,653	30,727	29,916	25,100	32,542	26,660	34,525	32,711
St. Mary's	1,652	1,636	1,581	1,470	1,488	1,359	1,491	1,400	2,812	2,326
EIGHTH CIRCUIT	39,557	26,911	40,121	32,333	47,128	41,227	50,695	41,471	52,302	38,296
Baltimore City	39,557	26,911	40,121	32,333	47,128	41,227	50,695	41,471	52,302	38,296
STATE	151,941	126,548	162,081	148,065	175,785	155,397	189,899	159,559	197,625	164,668

*Includes juvenile causes processed at the District Court level.

TABLE CC-3

**TERMINATIONS AS A PERCENTAGE OF FILINGS
IN THE CIRCUIT COURTS**

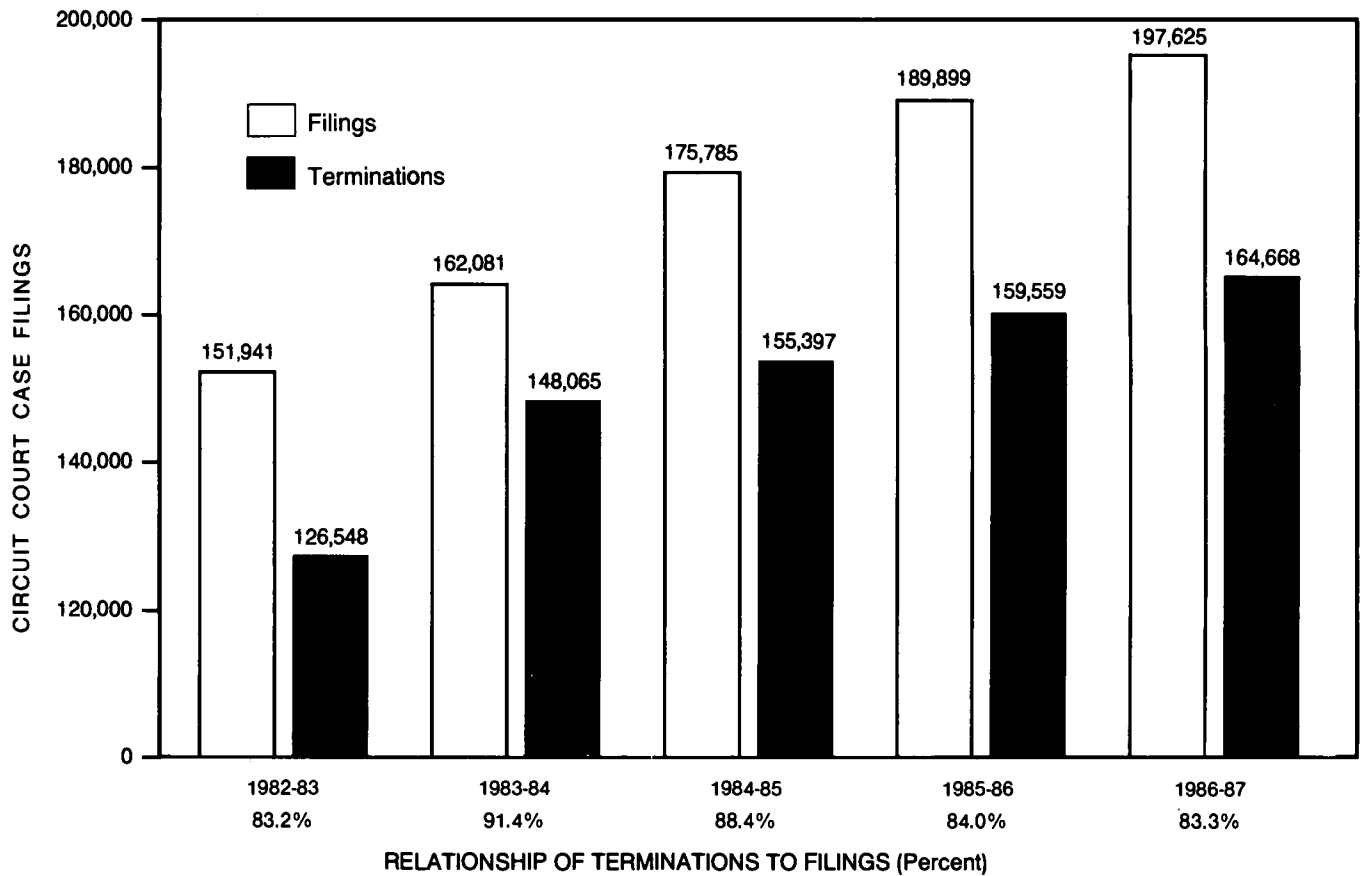


TABLE CC-4

CASES TRIED BY MAJOR JURISDICTION

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	State	Baltimore City	All Counties	Four Largest Counties	Other 19 Counties
CIVIL	9,059	1,092	7,967	5,237	2,730
Court Trial	7,849	955	6,894	4,457	2,437
Jury Trial	1,210	137	1,073	780	293
CRIMINAL	3,944	763	3,181	1,467	1,714
Court Trial	2,342	394	1,948	767	1,181
Jury Trial	1,602	369	1,233	700	533

Terminations

Following the trend of circuit court filings, terminations also increased during Fiscal 1987. There were 159,559 terminations in Fiscal 1986 compared to 164,668 in Fiscal 1987, an increase of 3.2 percent. Increases were reported in all three categories—civil, criminal, and juvenile.

During Fiscal 1987, the ratio of terminations as a percentage of filings decreased slightly, from 84 percent in Fiscal 1986 to the present level of 83.3 percent. A certain portion of this ratio appears disproportionate due to the fact that some filings are actually inactive cases that have yet to be terminated.

Civil terminations increased by a slight margin, 1.5 percent, from 83,646 in Fiscal 1986 to 84,894 in Fiscal 1987. That was the first increase in civil terminations since Fiscal 1984. Criminal and juvenile terminations also increased during Fiscal 1987, 4.4 percent and 6.0 percent. In the juvenile area, the greatest increase was reported in C.I.N.A. cases (14 percent) while criminal jury trial prayers reported the greatest increase under the criminal category. The latter increased by 12.1 percent in Fiscal 1987 (Table CC-9). Of the major jurisdictions, Montgomery County and Baltimore City were the only two major jurisdictions to report decreases in criminal terminations—31.6 percent and 5.5 percent. Baltimore, Anne Arundel, and Prince George's Counties all reported increases—19.8 percent, 12.2 percent, and 6.9 percent, respectively (Table CC-23). Also, Montgomery County was the only major jurisdiction to report a decline in the number of juvenile terminations.

Pending

There were 224,969 cases pending at the close of Fiscal 1987, an increase of 14.4 percent over Fiscal 1986. Included in that figure were 163,262 civil cases; 42,408 criminal cases; and 19,299 juvenile cases including 1,540 juvenile causes from Montgomery County (Table CC-6.9). Those figures compare to 196,589 cases pending at the close of Fiscal 1986 of which 146,106 were civil; 32,239 were criminal; and 18,244 were juvenile including 1,097 juvenile causes from Montgomery County. The five major jurisdictions, led by Baltimore City with 97,273 pending cases, contributed the majority of the cases with 84.8 percent.

Court Trials, Jury Trials, and Hearings

During Fiscal 1987, the circuit courts conducted over 200,000 proceedings, an increase of more than 9 percent over Fiscal 1986. Included in that figure were 44,802 civil hearings; 80,662 criminal hearings; 64,894 juvenile hearings; 10,191 court trials; and 2,812 jury trials. Approximately 57 percent of the jury trials held were criminal in nature while the remaining 43 percent were civil. In contrast, a greater percentage of the court trials held were civil, 77 percent (Table CC-10).

Elapsed Time of Case Dispositions

The average time period from the filing of an original case to its disposition in Fiscal 1987 rose for civil and criminal cases while it remained constant for juvenile cases (Table CC-12). When the older, inactive cases, which constitute approximately 5 percent of the total cases, are excluded the average time to dispose of a civil case was 214 days in Fiscal 1987 compared to 204 in Fiscal 1986 and 200 in Fiscal 1985. Criminal cases averaged 112 days from filing to disposition in Fiscal 1987, 106 days in Fiscal 1986, and 111 days in Fiscal 1985. The average time to dispose of juvenile cases, which has remained relatively constant over the last three years, was 66 days in both Fiscal 1986 and Fiscal 1987 and 64 days in Fiscal 1985.

Trends

Circuit court filings have increased steadily over the past five years; however, Fiscal 1987 was the first time in five years the increase was less than 10,000 additional filings. Also, this was the first time in five years that all three functional areas did not report an increase. Civil filings decreased by a very slight 0.5 percent while criminal and juvenile filings increased by 13.5 percent and 4.8 percent, respectively, over Fiscal 1986. Overall, filings increased by 4.1 percent, from 189,899 in Fiscal 1986 to 197,625 in Fiscal 1987.

While contract, contested confessed judgment, and C.I.N.A. cases reported the greatest increases in the civil and juvenile areas, criminal and motor vehicle jury trial prayers from the District Court continue to contribute the greatest to the overall increase in criminal filings. The District Court does not conduct jury trials; therefore, all cases where a defendant is entitled to and requests a jury trial have to be heard in the circuit courts. Although the General Assembly passed a law in 1981 known as the Gerstung law intended to reduce the number of jury trial prayers from the District Court, the number of jury trial prayers has more than doubled since then. There was an initial decrease of 49.2 percent in the year following the passage of the law; however, requests for jury trials have increased each year since the Court of Appeals has ruled part of that law unconstitutional. Currently, there were 28,244 jury trial requested cases filed in the circuit court. This represents over 50 percent of all criminal filings reported for Fiscal 1987. Very few of these cases actually result in a jury trial in the circuit court. It has been estimated that in most jurisdictions in Maryland, jury trials occur in less than two percent of the cases. Most often, a good number of these cases are plea bargained at the last moment in the circuit court, causing further delay and scheduling problems. Dealing with the large number of jury trial prayers from the District Court will continue to be one of the most important issues facing the circuit courts in the years ahead.

TABLE CC-5

JURY TRIAL PRAYERS PRE- AND POST-GERSTUNG LAW (CHAPTER 608)

	Pre- Ch. 608	Post-Ch. 608					
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407	8,698
Anne Arundel County	503	381	392	459	720	922	1,066
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363	4,348
Montgomery County	636	489	1,223	1,924	2,631	2,511	3,560
Prince George's County	952	895	1,583	2,755	4,043	4,348	4,003
All Other Counties	2,962	1,399	1,930	2,414	3,593	4,733	6,569
Total	12,290	6,248	9,761	13,193	19,180	23,284	28,244

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6.1

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FIRST JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIRST CIRCUIT	3,219	7,670	7,404	266	7,313	7,067	246	3,576
Civil	2,209	4,550	4,421	129	4,342	4,238	104	2,417
Criminal	906	2,498	2,361	137	2,363	2,221	142	1,041
Juvenile	104	622	622	—	608	608	—	118
DORCHESTER COUNTY	601	1,865	1,776	89	1,722	1,656	66	744
Civil	427	1,398	1,336	62	1,271	1,232	39	554
Criminal	164	310	283	27	305	278	27	169
Juvenile	10	157	157	—	146	146	—	21
SOMERSET COUNTY	413	1,021	996	25	951	920	31	483
Civil	290	700	688	12	654	640	14	336
Criminal	108	228	215	13	211	194	17	125
Juvenile	15	93	93	—	86	86	—	22
WICOMICO COUNTY	1,096	2,604	2,532	72	2,528	2,464	64	1,172
Civil	778	1,358	1,328	30	1,310	1,287	23	826
Criminal	300	1,050	1,008	42	1,031	990	41	319
Juvenile	18	196	196	—	187	187	—	27
WORCESTER COUNTY	1,109	2,180	2,100	80	2,112	2,027	85	1,177
Civil	714	1,094	1,069	25	1,107	1,079	28	701
Criminal	334	910	855	55	816	759	57	428
Juvenile	61	176	176	—	189	189	—	48

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is reflected in Table CC-6.1 through Table CC-6.9.

TABLE CC-6.2
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE SECOND JUDICIAL CIRCUIT OF MARYLAND
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SECOND CIRCUIT	2,799	6,259	5,986	273	5,533	5,271	262	3,525
Civil	1,844	3,917	3,825	92	3,441	3,342	99	2,320
Criminal	819	1,568	1,387	181	1,335	1,172	163	1,052
Juvenile	136	774	774	—	757	757	—	153
CAROLINE COUNTY	367	1,016	990	26	836	811	25	547
Civil	256	656	649	7	547	540	7	365
Criminal	90	281	262	19	210	192	18	161
Juvenile	21	79	79	—	79	79	—	21
CECIL COUNTY	1,274	2,549	2,415	134	2,245	2,125	120	1,578
Civil	802	1,626	1,579	47	1,428	1,382	46	1,000
Criminal	395	582	495	87	471	397	74	506
Juvenile	77	341	341	—	346	346	—	72
KENT COUNTY	279	668	646	22	648	625	23	299
Civil	207	451	444	7	445	434	11	213
Criminal	67	169	154	15	158	146	12	78
Juvenile	5	48	48	—	45	45	—	8
QUEEN ANNE'S COUNTY	362	951	906	45	898	852	46	415
Civil	256	563	548	15	562	542	20	257
Criminal	96	261	231	30	220	194	26	137
Juvenile	10	127	127	—	116	116	—	21
TALBOT COUNTY	517	1,075	1,029	46	906	858	48	686
Civil	323	621	605	16	459	444	15	485
Criminal	171	275	245	30	276	243	33	170
Juvenile	23	179	179	—	171	171	—	31

NOTE: See note on Table CC-6.1.

TABLE CC-6.3

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE THIRD JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—THIRD CIRCUIT	27,555	29,792	28,072	1,720	25,179	23,683	1,496	32,168
Civil	18,682	14,547	13,831	716	12,061	11,373	688	21,168
Criminal	7,557	10,573	9,569	1,004	8,619	7,811	808	9,511
Juvenile	1,316	4,672	4,672	—	4,499	4,499	—	1,489
BALTIMORE COUNTY	19,892	24,325	22,841	1,484	20,603	19,321	1,282	23,614
Civil	13,350	11,633	11,044	589	9,640	9,065	575	15,343
Criminal	6,190	8,717	7,822	895	7,099	6,392	707	7,808
Juvenile	352	3,975	3,975	—	3,864	3,864	—	463
HARFORD COUNTY	7,663	5,467	5,231	236	4,576	4,362	214	8,554
Civil	5,332	2,914	2,787	127	2,421	2,308	113	5,825
Criminal	1,367	1,856	1,747	109	1,520	1,419	101	1,703
Juvenile	964	697	697	—	635	635	—	1,026

NOTE: See note on Table CC-6.1.

TABLE CC-6.4
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FOURTH JUDICIAL CIRCUIT OF MARYLAND
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FOURTH CIRCUIT	4,106	6,679	6,411	268	5,704	5,482	222	5,081
Civil	3,340	4,381	4,249	132	3,558	3,455	103	4,163
Criminal	611	1,299	1,163	136	1,136	1,017	119	774
Juvenile	155	999	999	—	1,010	1,010	—	144
ALLEGANY COUNTY	1,768	1,828	1,722	106	1,392	1,305	87	2,204
Civil	1,489	1,221	1,159	62	774	731	43	1,936
Criminal	215	341	297	44	323	279	44	233
Juvenile	64	266	266	—	295	295	—	35
GARRETT COUNTY	283	747	710	37	745	703	42	285
Civil	238	541	522	19	537	513	24	242
Criminal	37	105	87	18	119	101	18	23
Juvenile	8	101	101	—	89	89	—	20
WASHINGTON COUNTY	2,055	4,104	3,979	125	3,567	3,474	93	2,592
Civil	1,613	2,619	2,568	51	2,247	2,211	36	1,985
Criminal	359	853	779	74	694	637	57	518
Juvenile	83	632	632	—	626	626	—	89

NOTE: See note on Table CC-6.1.

TABLE CC-6.5

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FIFTH JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIFTH CIRCUIT	21,262	25,329	24,204	1,125	23,393	22,281	1,112	23,198
Civil	17,106	14,110	13,480	630	13,338	12,654	684	17,878
Criminal	3,370	6,516	6,021	495	5,432	5,004	428	4,454
Juvenile	786	4,703	4,703	—	4,623	4,623	—	866
ANNE ARUNDEL COUNTY	15,186	16,723	16,013	710	15,618	14,979	639	16,291
Civil	12,652	9,835	9,325	510	9,453	8,957	496	13,034
Criminal	1,976	3,380	3,180	200	2,707	2,564	143	2,649
Juvenile	558	3,508	3,508	—	3,458	3,458	—	608
CARROLL COUNTY	2,192	3,757	3,599	158	3,314	3,163	151	2,635
Civil	1,492	1,895	1,853	42	1,785	1,738	47	1,602
Criminal	597	1,224	1,108	116	910	806	104	911
Juvenile	103	638	638	—	619	619	—	122
HOWARD COUNTY	3,884	4,849	4,592	257	4,461	4,139	322	4,272
Civil	2,962	2,380	2,302	78	2,100	1,959	141	3,242
Criminal	797	1,912	1,733	179	1,815	1,634	181	894
Juvenile	125	557	557	—	546	546	—	136

NOTE: See note on Table CC-6.1.

TABLE CC-6.6
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE SIXTH JUDICIAL CIRCUIT OF MARYLAND
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SIXTH CIRCUIT	22,203	26,011	25,111	900	18,601	18,003	598	29,613
Civil	15,350	14,944	14,591	353	11,627	11,320	307	18,667
Criminal	5,683	6,993	6,446	547	3,337	3,046	291	9,339
Juvenile	1,170	4,074	4,074	—	3,637	3,637	—	1,607
FREDERICK COUNTY	1,615	3,388	3,269	119	2,841	2,736	105	2,162
Civil	1,174	2,274	2,207	67	1,866	1,804	62	1,582
Criminal	372	786	734	52	645	602	43	513
Juvenile	69	328	328	—	330	330	—	67
MONTGOMERY COUNTY	20,588	22,623	21,842	781	15,760	15,267	493	27,451
Civil	14,176	12,670	12,384	286	9,761	9,516	245	17,085
Criminal	5,311	6,207	5,712	495	2,692	2,444	248	8,826
Juvenile*	1,101	3,746	3,746	—	3,307	3,307	—	1,540

*Juvenile causes processed at the District Court level.

NOTE: See note on Table CC-6.1.

TABLE CC-6.7

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE SEVENTH JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SEVENTH CIRCUIT	27,601	43,583	42,855	728	40,649	39,707	942	30,535
Civil	22,145	26,462	26,137	325	24,648	24,118	530	23,959
Criminal	4,155	9,649	9,246	403	8,639	8,227	412	5,165
Juvenile	1,301	7,472	7,472	—	7,362	7,362	—	1,411
CALVERT COUNTY	824	1,536	1,459	77	1,488	1,397	91	872
Civil	633	914	861	53	888	825	63	659
Criminal	123	316	292	24	346	318	28	93
Juvenile	68	306	306	—	254	254	—	120
CHARLES COUNTY	1,562	4,710	4,580	130	4,124	3,990	134	2,148
Civil	926	2,990	2,952	38	2,535	2,495	40	1,381
Criminal	494	948	856	92	812	718	94	630
Juvenile	142	772	772	—	777	777	—	137
PRINCE GEORGE'S COUNTY	24,377	34,525	34,074	451	32,711	32,108	603	26,191
Civil	19,908	20,817	20,644	173	19,652	19,327	325	21,073
Criminal	3,400	7,559	7,281	278	6,945	6,667	278	4,014
Juvenile	1,069	6,149	6,149	—	6,114	6,114	—	1,104
ST. MARY'S COUNTY	838	2,812	2,742	70	2,326	2,212	114	1,324
Civil	678	1,741	1,680	61	1,573	1,471	102	846
Criminal	138	826	817	9	536	524	12	428
Juvenile	22	245	245	—	217	217	—	50

NOTE: See note on Table CC-6.1.

TABLE CC-6.8

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE EIGHTH JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	<u>PENDING</u>	<u>FILED</u>			<u>TERMINATED</u>			<u>PENDING</u>
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—EIGHTH CIRCUIT								
BALTIMORE CITY	83,267	52,302	50,983	1,319	38,296	37,420	876	97,273
Total—Civil Courts	61,287	23,282	22,770	512	11,879	11,435	444	72,690
Total—Criminal Court	8,970	16,151	15,344	807	14,049	13,617	432	11,072
Total—Juvenile Court	13,010	12,869	12,869	—	12,368	12,368	—	13,511

NOTE: See note on Table CC-6.1.

TABLE CC-6.9

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE STATE OF MARYLANDJULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	<u>PENDING</u>	<u>FILED</u>			<u>TERMINATED</u>			<u>PENDING</u>
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—STATE	192,012	197,625	190,826	6,599	164,668	158,914	5,754	224,969
Civil	141,963	106,193	103,304	2,889	84,894	81,935	2,959	163,262
Criminal	32,071	55,247	51,537	3,710	44,910	42,115	2,795	42,408
Juvenile*	17,978	36,185	36,185	—	34,864	34,864	—	19,299

*Includes juvenile causes processed by the District Court for Montgomery County.

NOTE: See note on Table CC-6.1.

TABLE CC-7
PERCENTAGES OF ORIGINAL CASES FILED AND REOPENED CASES FILED
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	CIVIL		CRIMINAL		JUVENILE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIRST CIRCUIT	4,550	59.3	2,498	32.6	622	8.1	7,670	100.0
Dorchester	1,398	75.0	310	16.6	157	8.4	1,865	100.0
Somerset	700	68.6	228	22.3	93	9.1	1,021	100.0
Wicomico	1,358	52.2	1,050	40.3	196	7.5	2,604	100.0
Worcester	1,094	50.2	910	41.7	176	8.1	2,180	100.0
SECOND CIRCUIT	3,917	62.6	1,568	25.0	774	12.4	6,259	100.0
Caroline	656	64.6	281	27.6	79	7.8	1,016	100.0
Cecil	1,626	63.8	582	22.8	341	13.4	2,549	100.0
Kent	451	67.5	169	25.3	48	7.2	668	100.0
Queen Anne's	563	59.2	261	27.4	127	13.4	951	100.0
Talbot	621	57.8	275	25.6	179	16.6	1,075	100.0
THIRD CIRCUIT	14,547	48.8	10,573	35.5	4,672	15.7	29,792	100.0
Baltimore	11,633	47.8	8,717	35.8	3,975	16.4	24,325	100.0
Harford	2,914	53.3	1,856	33.9	697	12.8	5,467	100.0
FOURTH CIRCUIT	4,381	65.6	1,299	19.4	999	15.0	6,679	100.0
Allegany	1,221	66.8	341	18.7	266	14.5	1,828	100.0
Garrett	541	72.4	105	14.1	101	13.5	747	100.0
Washington	2,619	63.8	853	20.8	632	15.4	4,104	100.0
FIFTH CIRCUIT	14,110	55.7	6,516	25.7	4,703	18.6	25,329	100.0
Anne Arundel	9,835	58.8	3,380	20.2	3,508	21.0	16,723	100.0
Carroll	1,895	50.4	1,224	32.6	638	17.0	3,757	100.0
Howard	2,380	49.1	1,912	39.4	557	11.5	4,849	100.0
SIXTH CIRCUIT	14,944	57.4	6,993	26.9	4,074	15.7	26,011	100.0
Frederick	2,274	67.1	786	23.2	328	9.7	3,388	100.0
Montgomery*	12,670	56.0	6,207	27.4	3,746	16.6	22,623	100.0
SEVENTH CIRCUIT	26,462	60.7	9,649	22.1	7,472	17.2	43,583	100.0
Calvert	914	59.5	316	20.6	306	19.9	1,536	100.0
Charles	2,990	63.5	948	20.1	772	16.4	4,710	100.0
Prince George's	20,817	60.3	7,559	21.9	6,149	17.8	34,525	100.0
St. Mary's	1,741	61.9	826	29.4	245	8.7	2,812	100.0
EIGHTH CIRCUIT	23,282	44.5	16,151	30.9	12,869	24.6	52,302	100.0
Baltimore City	23,282	44.5	16,151	30.9	12,869	24.6	52,302	100.0
STATE	106,193	53.7	55,247	28.0	36,185	18.3	197,625	100.0

*Juvenile causes heard at District Court level.

TABLE CC-8
CATEGORIES OF FILINGS
ORIGINAL CASES FILED AND REOPENED CASES FILED
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dorchester	Somerset	Wicomico	Worcester	Carolina	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	1,398	700	1,358	1,094	658	1,628	451	583	621	11,633	2,914	1,221	541	2,819	9,835	1,895	2,380	2,274	12,870	914	2,990	20,817	1,741	23,282	108,193
TORT:																									
Motor Tort	23	8	45	40	17	73	7	20	28	1,522	224	57	12	96	805	89	180	110	887	29	102	1,565	58	3,566	9,563
Other Tort	5	1	25	35	24	14	8	5	12	950	37	14	9	44	112	34	57	53	368	20	32	583	13	920	3,375
CONTRACT	23	12	73	117	4	15	10	19	22	1,379	86	33	17	77	604	81	250	117	2,230	31	83	1,187	21	832	7,323
CONDEMNATION	8	0	7	0	0	2	0	5	1	44	3	1	2	4	37	0	9	2	9	4	7	15	0	53	213
CONTESTED																									
CONFESSION																									
JUDGMENT	0	0	1	2	0	0	1	0	4	13	1	0	1	1	2	3	1	0	0	3	1	2	9	1,009	1,054
OTHER LAW	12	9	25	22	0	119	14	0	53	382	155	58	8	6	385	1	4	69	26	17	0	7	3	2,738	4,113
APPEALS:																									
District Court—On Record	4	0	4	2	1	6	0	1	1	84	15	1	4	8	136	0	23	12	37	6	4	1	0	0	223
District Court—De Novo	4	0	0	4	0	2	0	0	0	87	18	2	2	2	136	0	15	15	15	11	7	2	0	144	482
Administrative Agencies	58	12	26	19	6	39	7	14	15	418	94	59	13	41	366	41	68	40	214	36	27	170	61	368	2,212
UNREPORTED LAW	6	0	0	0	0	0	0	0	0	3	2	0	0	0	8	0	1	0	3	0	0	18	8	22	72
DIVORCE/NULLITY	240	126	446	208	142	383	133	138	180	3,282	899	385	188	765	2,861	632	744	747	3,450	252	702	5,550	439	3,967	26,809
OTHER DOMESTIC RELATIONS	77	136	150	112	116	461	105	112	96	886	518	150	179	617	594	414	280	434	646	122	576	4,263	264	649	11,957
ADOPTION/GUARDIANSHIP	35	1	37	23	10	47	15	15	15	258	112	36	19	72	233	52	134	90	472	41	56	303	18	491	2,585
PATERNITY	707	325	379	221	196	246	124	131	124	681	327	122	45	435	1,643	34	142	286	808	118	1,075	4,035	376	4,965	17,745
OTHER GENERAL	192	66	138	287	136	214	25	102	65	1,411	440	299	59	443	1,870	512	448	288	2,204	218	307	3,044	385	3,557	16,710
UNREPORTED CATEGORY	8	4	2	2	4	5	2	1	4	33	13	4	3	8	171	1	24	11	1,281	6	11	72	86	1	1,757
JUVENILE—TOTALS	157	93	196	176	79	341	48	127	179	3,975	897	266	101	632	3,508	638	557	328	3,748	306	772	6,149	245	12,869	38,185
DELINQUENCY	120	69	136	159	50	257	33	86	105	3,345	489	161	43	453	2,710	489	485	243	2,616	241	657	4,291	219	10,072	27,509
ADULT	0	0	0	0	2	2	0	9	0	0	0	0	0	0	1	17	0	0	11	2	2	7	3	12	68
CHILD IN NEED OF																									
SUPERVISION	1	0	7	0	7	3	2	11	3	30	8	26	11	17	13	20	2	11	9	3	3	19	0	122	328
CHILD IN NEED OF																									
ASSISTANCE	35	22	53	15	19	78	13	19	59	593	219	79	47	153	783	108	69	71	1,098	60	110	1,817	21	2,660	8,201
UNREPORTED CATEGORY	1	2	0	2	1	1	0	2	12	7	1	0	0	9	1	4	1	3	12	0	0	15	2	3	79
CRIMINAL—TOTALS	310	228	1,050	910	281	582	169	281	275	8,717	1,868	341	105	853	3,380	1,224	1,912	786	8,207	316	948	7,559	828	16,151	55,247
INDICTMENT INFORMATION	113	73	395	226	168	221	84	105	175	2,650	522	137	62	390	2,037	345	826	428	2,005	221	724	3,104	254	5,520	20,785
APPEALS FROM:																									
DISTRICT COURT:																									
Motor Vehicle	16	10	24	37	9	57	6	11	10	651	84	19	8	36	114	62	136	39	318	13	27	135	2	364	2,188
Other	11	3	18	10	18	30	9	19	20	244	25	25	10	38	86	54	43	13	177	11	65	143	7	443	1,522
JURY TRIAL PRAYED—MOTOR	77	48	245	306	41	134	7	62	17	1,411	736	60	9	135	394	349	436	192	2,176	30	44	1,767	284	518	9,488
JURY TRIAL PRAYED—OTHER	86	92	364	318	52	131	58	63	53	2,937	476	91	15	225	672	390	463	112	1,384	36	67	2,236	275	9,159	19,755
NON SUPPORT	0	0	0	0	0	0	0	0	0	800	2	8	0	0	51	0	6	0	0	0	2	0	0	0	863
POST CONVICTION	0	0	0	0	0	0	0	0	0	2	3	0	0	13	26	1	6	0	9	5	9	108	0	147	335
UNREPORTED CATEGORY	7	2	4	5	1	4	4	1	0	22	18	1	1	16	0	23	2	2	138	0	10	66	4	0	331

TABLE CC-9
CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL CASES FILED AND REOPENED CASES FILED
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	1,271	654	1,310	1,107	547	1,426	445	562	459	9,640	2,421	774	537	2,247	9,453	1,765	2,100	1,666	9,781	666	2,535	19,852	1,573	11,679	84,694
TORT:																									
Motor Tort	20	8	32	35	9	61	5	27	17	1,151	141	52	17	54	655	59	152	83	570	32	84	1,415	51	2,482	7,212
Other Tort	6	3	22	26	9	6	6	12	12	473	29	13	12	37	151	26	50	37	295	25	31	574	17	631	2,495
CONTRACT	8	3	70	96	4	10	7	15	20	945	79	30	16	72	823	78	207	112	1,457	31	65	1,058	31	630	5,667
CONDEMNATION	4	0	0	0	0	1	3	12	0	46	0	2	0	3	19	0	13	4	5	5	6	26	0	24	175
CONTESTED																									
CONFESSION																									
JUDGMENT	0	0	1	1	0	1	1	0	4	2	0	0	0	1	3	6	2	1	1	3	4	2	1	36	70
OTHER LAW	16	7	26	29	0	112	6	0	33	370	85	24	10	9	873	6	4	59	77	23	1	25	16	2,004	3,617
APPEALS:																									
District Court—On Record	4	0	6	0	1	3	0	1	0	91	16	1	8	5	4	1	27	10	16	3	6	1	0	0	204
District Court—De Novo	5	0	0	3	1	0	0	0	1	67	15	0	3	1	190	0	20	13	14	14	6	6	3	105	467
Administrative Agencies	30	14	17	25	5	43	11	19	14	417	82	42	13	30	302	46	94	39	215	46	26	316	99	339	2,288
UNREPORTED LAW	2	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	4	12
DIVORCE/NULLITY	209	132	458	228	138	313	129	117	164	3,086	730	296	170	651	2,790	605	654	669	2,706	256	573	5,925	399	2,924	24,322
OTHER DOMESTIC RELATIONS	66	130	153	122	85	416	109	115	41	819	438	60	160	540	508	369	243	349	631	110	445	4,501	257	212	11,099
ADOPTION/GUARDIANSHIP	29	1	34	29	8	40	12	13	17	257	105	30	13	50	216	61	116	71	315	37	48	232	27	413	2,174
PATERNITY	700	302	360	237	168	236	114	133	69	584	329	45	50	396	1,666	45	109	201	669	87	924	3,431	331	0	11,206
OTHER GENERAL	169	52	128	276	116	176	42	108	44	1,321	366	175	65	395	1,406	463	406	214	1,819	214	311	2,112	326	2,075	12,781
UNREPORTED CATEGORY	3	2	1	0	2	6	0	0	3	10	6	3	0	3	47	0	3	4	769	2	1	25	15	0	905
JUVENILE—TOTALS	146	66	167	189	79	346	45	116	171	3,664	635	295	89	626	3,458	619	546	330	3,307	254	777	6,114	217	12,368	34,684
DELINQUENCY	111	66	137	161	52	264	33	80	115	3,222	417	169	39	448	2,664	488	480	249	2,257	183	653	4,273	193	9,913	26,667
ADULT	0	0	0	1	2	2	0	5	0	0	0	10	0	1	0	15	0	0	9	2	2	12	1	10	72
CHILD IN NEED OF SUPERVISION	1	0	6	0	4	7	2	10	2	34	7	25	10	23	14	16	2	8	10	1	3	19	0	66	270
CHILD IN NEED OF ASSISTANCE	34	18	44	27	21	73	10	20	52	601	209	91	40	154	780	98	64	71	1,016	68	119	1,807	23	2,375	7,817
UNREPORTED CATEGORY	0	2	0	0	0	0	0	1	2	7	2	0	0	0	0	2	0	2	13	0	0	3	0	4	38
CRIMINAL—TOTALS	305	211	1,031	816	210	471	158	220	278	7,099	1,520	323	119	694	2,707	910	1,615	645	2,692	346	812	6,945	536	14,049	44,910
INDICTMENT INFORMATION	103	60	367	221	110	211	91	100	157	2,085	467	133	72	350	1,640	272	725	360	1,032	240	602	2,557	212	4,943	17,110
APPEALS FROM:																									
DISTRICT COURT:																									
Motor Vehicle	16	11	20	37	6	43	2	9	12	509	78	22	6	29	57	61	144	36	153	15	33	126	3	86	1,522
Other	9	6	21	20	10	31	10	17	21	198	23	22	10	28	86	43	37	7	95	13	61	150	9	346	1,273
JURY TRIAL PRAYED—MOTOR	76	51	262	254	35	92	8	53	25	1,169	584	60	7	108	330	261	442	162	794	27	42	1,738	155	497	7,254
JURY TRIAL PRAYED—OTHER	97	82	360	283	46	92	47	41	61	2,437	361	61	22	163	503	272	462	80	608	47	68	2,285	157	8,039	16,694
NONSUPPORT	0	0	1	0	1	0	0	0	0	681	3	5	0	0	0	0	0	0	0	0	2	85	0	0	766
POST CONVICTION	0	0	0	0	0	2	0	0	0	0	0	0	0	16	17	1	5	0	7	4	4	0	0	136	284
UNREPORTED CATEGORY	0	1	0	1	0	0	0	0	0	0	4	0	0	0	0	0	0	0	3	0	0	2	0	0	7

TABLE CC-10

COURT TRIALS, JURY TRIALS, AND HEARINGS BY
COUNTY, CIRCUIT, AND FUNCTIONAL AREAJULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	1ST CIRCUIT		2ND CIRCUIT			3RD CIRCUIT	4TH CIRCUIT		5TH CIRCUIT		6TH CIRCUIT	7TH CIRCUIT		8TH CIRCUIT	TOTAL (STATE)										
	Dorchester	Somerset	Wilcomico	Worcester	Carolina	Cecil	Kant	Queen Anne's	Baltimore	Harford	Allegany	Garrett	Washington	Anna Arundal	Carroll	Howard	Fredarick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City		
CASES TRIED BY COUNTY & CIRCUIT																									
Civil	31	37	82	73	146	340	4	12	6	308	423	110	85	70	283	48	225	273	1,153	91	363	2,713	18	955	7,849
Court Trials	7	0	12	18	9	20	3	6	10	152	18	31	2	17	115	13	35	34	143	28	25	370	5	137	1,210
Jury Trials																									
Criminal	78	36	131	413	24	59	6	3	142	246	36	22	9	45	401	57	66	20	109	15	17	11	2	394	2,342
Court Trials	15	18	56	58	35	66	3	0	25	94	28	28	8	67	89	9	37	24	350	9	39	167	8	369	1,602
Jury Trials																									
COUNTY TOTALS																									
Court Trials	109	73	213	486	170	399	10	15	148	554	459	132	94	115	684	105	291	293	1,262	106	380	2,724	20	1,349	10,191
Jury Trials	22	18	68	76	44	86	6	6	35	246	46	59	10	84	204	22	72	58	493	37	64	537	13	506	2,812
TOTAL	131	91	281	562	214	485	16	21	183	800	505	191	104	199	888	127	363	351	1,755	143	444	3,261	33	1,855	13,003
CIRCUIT TOTALS																									
Court Trials	881					742				1,013		341			1,080			1,555			3,230		1,349	10,191	
Jury Trials	184					177				292		153			298			551			651		506	2,812	
TOTAL	1,065					919				1,305		494			1,378			2,106			3,881		1,855	13,003	
CIVIL, CRIMINAL, AND JUVENILE HEARINGS																									
Civil Hearings	226	337	423	412	72	253	69	281	187	3,207	1,126	159	162	540	6,033	858	1,817	264	7,955	344	1,187	16,304	824	1,762	44,802
Criminal Hearings	256	200	1,251	760	568	988	297	437	319	8,012	2,614	467	167	1,031	5,076	1,731	2,738	987	17,805	601	1,337	16,711	896	15,413	80,662
Juvenile Hearings	131	85	296	292	140	645	53	201	307	4,884	636	290	125	803	5,497	786	949	632	5,271	661	1,504	11,978	428	28,300	64,894
COUNTY TOTALS	613	622	1,970	1,464	780	1,886	419	919	813	16,103	4,376	916	454	2,374	16,606	3,375	5,504	1,883	31,031	1,606	4,028	44,993	2,148	45,475	190,358
CIRCUIT TOTALS																									
Court Trials	4,669									3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT		8TH CIRCUIT			190,358
Jury Trials										20,479		3,744			25,485			32,914		52,775		45,475			190,358
TOTAL																									

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11
 APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND
 PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT

JULY 1, 1986—JUNE 30, 1987
 FISCAL 1987

	1ST CIRCUIT			2ND CIRCUIT			3RD CIRCUIT		4TH CIRCUIT		5TH CIRCUIT		6TH CIRCUIT		7TH CIRCUIT			8TH CIRCUIT	TOTAL (STATE)						
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES																									
	LAW																								
	0	0	0	4	0	2	0	0	0	87	18	2	2	2	136	0	15	15	35	11	7	2	0	0	144
	4	0	4	2	1	6	0	1	1	84	15	1	4	8	8	1	23	12	37	6	4	1	0	0	223
	58	12	26	19	6	39	7	14	15	418	94	59	13	41	366	41	68	40	214	36	27	170	61	368	2,212
	62	12	30	25	7	47	7	15	16	589	127	62	19	51	510	42	106	67	286	53	38	173	61	512	2,917
	CRIMINAL																								
	16	10	24	37	9	57	6	11	10	651	84	19	8	38	114	62	136	39	318	13	27	135	2	364	2,188
	11	3	18	18	10	30	9	19	20	244	25	24	25	10	38	86	54	43	13	177	11	65	143	7	443
27	13	42	55	19	87	15	30	30	895	109	44	18	74	200	116	179	52	495	24	92	278	9	807	3,710	
TOTAL	89	25	72	80	26	134	22	45	46	1,484	236	106	37	125	710	158	285	119	781	77	130	451	70	1,319	6,627
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																									
	Prayers for Jury Trials and Appeals:																								
	194	153	655	685	113	360	80	156	101	5,414	1,344	198	48	444	1,410	856	1,116	383	4,127	107	214	4,284	568	10,628	33,638
										6,758			690			3,382		4,510				5,173		10,628	33,638
	Circuit Court Filings:																								
	1,865	1,021	2,604	2,180	1,016	2,549	668	951	1,075	24,325	5,467	1,828	747	4,104	16,723	3,757	4,849	3,388	22,623	1,536	4,710	34,525	2,812	52,302	197,625
										29,792			6,679			25,329			26,011			43,583		52,302	197,625
	Percentage of Circuit Court Filings that are Jury Trials and Appeals:																								
	10.4	15.0	25.2	31.4	11.1	14.1	12.0	16.4	9.4	22.3	24.6	10.8	6.4	10.8	8.4	22.8	23.0	11.3	18.2	7.0	4.5	12.4	20.2	20.3	17.0
			22.0					12.9		22.7			10.3			13.4			17.3			11.9		20.3	17.0

TABLE CC-12
AVERAGE DAYS FROM FILING TO DISPOSITION

	Civil			Criminal			Juvenile		
	1984-85	1985-86	1986-87	1984-85	1985-86	1986-87	1984-85	1985-86	1986-87
FIRST CIRCUIT									
Dorchester	147	141	148	132	113	121	37	32	37
Somerset	107	116	98	111	115	128	26	14	19
Wicomico	148	154	179	86	89	97	32	34	35
Worcester	175	174	177	117	110	112	47	59	58
SECOND CIRCUIT									
Caroline	143	197	179	125	163	160	59	50	50
Cecil	153	152	143	157	159	146	48	46	56
Kent	129	107	141	159	129	125	65	38	37
Queen Anne's	88	160	181	123	123	134	40	35	47
Talbot	155	158	163	143	126	186	52	69	60
THIRD CIRCUIT									
Baltimore	216	210	213	99	106	125	43	51	48
Harford	182	176	186	173	161	166	48	55	59
FOURTH CIRCUIT									
Allegany	261	232	216	126	144	165	29	38	67
Garrett	192	189	187	125	160	124	32	51	38
Washington	179	170	182	130	157	146	36	43	43
FIFTH CIRCUIT									
Anne Arundel	173	184	228	144	143	149	82	74	80
Carroll	147	151	187	167	150	161	68	69	82
Howard	261	225	262	131	131	135	71	64	72
SIXTH CIRCUIT									
Frederick	169	173	184	103	111	128	59	68	70
Montgomery	223	245	242	142	168	178	92	85	106
SEVENTH CIRCUIT									
Calvert	170	189	191	96	105	95	73	77	81
Charles	181	193	192	152	154	141	65	66	65
Prince George's	246	241	206	104	109	111	63	64	71
St. Mary's	178	184	173	135	114	127	81	73	82
EIGHTH CIRCUIT									
Baltimore City	187	194	243	93	76	81	63	68	65
STATE	200	204	214	111	106	112	64	66	66

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-13
POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	POPULATION	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE				CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
		No. of Judges	Population Per Judge	Cases Filed Per Judge		Cases Terminated Per Judge		Total	No. of Jury Trials	Per 1000 Population
				Civil**	Criminal	Civil**	Criminal			
FIRST CIRCUIT										
Dorchester	30,200	1	30,200	1,555	310	1,417	305	51 10 61	22	0.73
Somerset	18,200	1	18,200	793	228	740	211	44 13 57	18	0.99
Wicomico	70,700	2	35,350	777	525	749	516	22 15 37	68	0.96
Worcester	36,100	2	18,050	635	455	648	408	35 25 60	76	2.11
SECOND CIRCUIT										
Caroline	24,400	1	24,400	735	281	626	210	30 12 42	44	1.80
Cecil	69,500	2	34,750	984	291	887	236	28 8 36	86	1.24
Kent	16,900	1	16,900	499	169	490	158	30 10 40	6	0.36
Queen Anne's	29,900	1	29,900	690	261	678	220	23 9 32	6	0.20
Talbot	27,200	1	27,200	800	275	630	276	29 10 39	35	1.29
THIRD CIRCUIT										
Baltimore	693,600	13	53,354	1,201	671	1,025	546	23 13 36	246	0.35
Harford	151,300	4	37,825	903	464	764	380	24 12 36	46	0.30
FOURTH CIRCUIT										
Allegany	76,700	2	38,350	744	171	535	162	19 4 23	59	0.77
Garrett	27,400	1	27,400	642	105	626	119	23 4 27	10	0.36
Washington	113,300	3	37,767	1,084	284	958	231	29 8 37	84	0.74
FIFTH CIRCUIT										
Anne Arundel	409,500	9	45,500	1,483	376	1,435	301	33 8 41	204	0.50
Carroll	110,600	2	55,300	1,267	612	1,202	455	23 11 34	22	0.20
Howard	144,000	4	36,000	734	478	662	454	20 13 33	72	0.50
SIXTH CIRCUIT										
Frederick	133,800	3	44,600	867	262	732	215	19 6 25	58	0.43
Montgomery	637,400	13	49,031	975	477	751	207	20 10 30	493	0.77
SEVENTH CIRCUIT										
Calvert	43,000	1	43,000	1,220	316	1,142	346	28 7 35	37	0.86
Charles	89,700	2	44,850	1,881	474	1,656	406	42 11 53	64	0.71
Prince George's	675,500	16	42,219	1,685	472	1,610	434	40 11 51	537	0.79
St. Mary's	69,900	1	69,900	1,986	826	1,790	536	28 12 40	13	0.19
EIGHTH CIRCUIT										
Baltimore City	755,000	23	32,826	1,572	702	1,054	611	48 21 69	506	0.67
STATE	4,453,800	109	40,860	1,272	507	1,068	412	31 12 43	2,812	0.63

*Population estimate for July 1, 1987, issued by the Maryland Center for Health Statistics.

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level.
 Juvenile causes in all other counties are included in the civil category.

TABLE CC-14
FIVE-YEAR COMPARATIVE TABLE
CASES FILED AND TERMINATED PER JUDGE
FISCAL 1983—FISCAL 1987

	FILED		TERMINATED	
	Civil*	Criminal	Civil*	Criminal
1982-1983	1,100	325	906	279
1983-1984	1,205	353	1,092	331
1984-1985	1,209	397	1,049	369
1985-1986	1,262	446	1,034	395
1986-1987	1,272	507	1,068	412

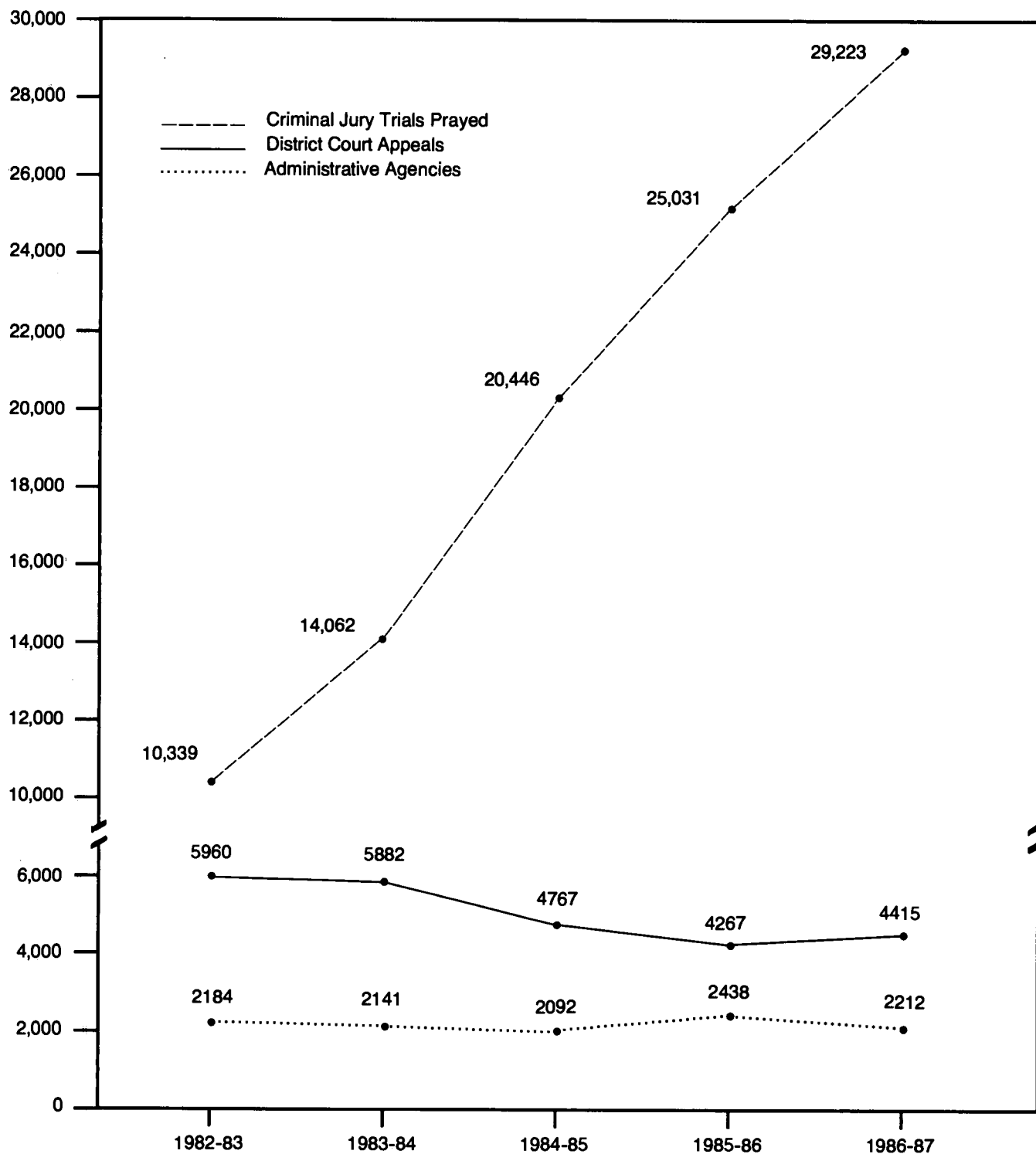
*Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-15
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES
FISCAL 1983—1987

	1982-1983		1983-1984		1984-1985		1985-1986		1986-1987	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	309	83	286	64	217	80	156	73	151	115
Dorchester	29	26	41	15	35	22	29	19	31	58
Somerset	23	3	15	2	12	6	13	3	13	12
Wicomico	144	28	112	26	82	26	59	23	46	26
Worcester	113	26	118	21	88	26	55	28	61	19
SECOND CIRCUIT	198	50	141	42	171	74	162	130	192	81
Caroline	28	2	19	0	15	4	20	9	20	6
Cecil	79	17	61	20	97	31	76	59	95	39
Kent	29	10	11	6	11	8	18	18	15	7
Queen Anne's	37	4	24	11	23	18	15	17	31	14
Talbot	25	17	26	5	25	13	33	27	31	15
THIRD CIRCUIT	1,209	402	1,074	433	1,007	494	982	568	1,208	512
Baltimore	1,057	333	907	361	879	402	860	475	1,066	418
Harford	152	69	167	72	128	92	122	93	142	94
FOURTH CIRCUIT	215	127	213	120	186	148	150	102	155	113
Allegany	77	42	93	39	88	65	76	52	47	59
Garrett	25	14	13	10	16	18	14	13	24	13
Washington	113	71	107	71	82	65	60	37	84	41
FIFTH CIRCUIT	1,022	253	1,045	298	762	357	752	421	678	475
Anne Arundel	553	166	612	183	384	225	369	283	344	366
Carroll	211	38	196	49	148	41	153	47	117	41
Howard	258	49	237	66	230	91	230	91	217	68
SIXTH CIRCUIT	857	277	973	295	745	317	668	314	646	254
Frederick	64	27	104	36	102	29	45	40	79	40
Montgomery	793	250	869	259	643	288	623	274	567	214
SEVENTH CIRCUIT	751	355	873	440	470	408	492	416	434	294
Calvert	56	13	69	29	39	26	31	37	41	36
Charles	76	28	51	40	51	30	67	32	103	27
Prince George's	555	295	684	351	353	336	363	235	281	170
St. Mary's	64	19	69	20	27	16	31	112	9	61
EIGHTH CIRCUIT	1,399	637	1,277	449	1,209	214	905	414	951	368
Baltimore City	1,399	637	1,277	449	1,209	214	905	414	951	368
STATE	5,960	2,184	5,882	2,141	4,767	2,092	4,267	2,438	4,415	2,212

TABLE CC-16

**FIVE-YEAR COMPARATIVE GRAPH
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES**



NOTE: Jury trial prayers are slightly higher in Table CC-16 than in Table CC-5 because the data for Baltimore City is based on defendants in Table CC-5. In Table CC-16, the Baltimore City data is based on incidence.

TABLE CC-17
FIVE-YEAR COMPARATIVE TABLE
POST CONVICTION CASES FILED

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
FIRST CIRCUIT	9	15	4	5	0
Dorchester	6	14	4	5	0
Somerset	0	0	0	0	0
Wicomico	3	1	0	0	0
Worcester	0	0	0	0	0
SECOND CIRCUIT	20	15	4	5	6
Caroline	1	8	1	1	0
Cecil	5	2	3	1	5
Kent	0	0	0	0	1
Queen Anne's	9	5	0	0	0
Talbot	5	0	0	3	0
THIRD CIRCUIT	7	13	5	9	5
Baltimore	0	0	0	1	2
Harford	7	13	5	8	3
FOURTH CIRCUIT	18	30	17	16	13
Allegany	0	0	0	0	0
Garrett	3	5	2	2	0
Washington	15	25	15	14	13
FIFTH CIRCUIT	6	24	17	18	33
Anne Arundel	0	0	11	9	26
Carroll	0	0	0	2	1
Howard	6	24	6	7	6
SIXTH CIRCUIT	10	21	39	24	9
Frederick	0	0	0	0	0
Montgomery	10	21	39	24	9
SEVENTH CIRCUIT	95	92	97	85	122
Calvert	3	1	6	5	5
Charles	18	14	14	5	9
Prince George's	69	75	74	73	108
St. Mary's	5	2	3	2	0
EIGHTH CIRCUIT	90	191	172	128	147
Baltimore City	90	191	172	128	147
STATE	255	401	355	290	335

TABLE CC-18
APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	0	0	0	0	0
Somerset	0	0	0	0	0
Wicomico	0	0	2	0	0
Worcester	15	1	9	0	0
SECOND CIRCUIT					
Caroline	6	0	6	0	0
Cecil	10	0	11	0	0
Kent	0	0	0	0	0
Queen Anne's	0	0	0	0	0
Talbot	4	0	4	0	0
THIRD CIRCUIT					
Baltimore	28	0	4	0	2
Harford	3	0	5	0	0
FOURTH CIRCUIT					
Allegany	3	5	1	0	0
Garrett	2	0	2	0	0
Washington	32	3	25	0	1
FIFTH CIRCUIT					
Anne Arundel	31	0	22	0	2
Carroll	5	1	3	0	1
Howard	5	0	5	0	0
SIXTH CIRCUIT					
Frederick	3	2	3	0	2
Montgomery	0	0	2	0	0
SEVENTH CIRCUIT					
Calvert	2	0	0	0	0
Charles	9	0	6	0	1
Prince George's	29	0	23	0	0
St. Mary's	5	0	7	0	0
EIGHTH CIRCUIT					
Baltimore City	64	2	81	0	1
STATE	256	14	221	0	10

TABLE CC-19
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS
FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	4,182	3,930	4,441	4,214	4,244	3,917	4,797	4,815	4,550	4,342
Dorchester	892	756	941	861	1,071	1,014	1,415	1,579	1,398	1,271
Somerset	525	403	650	637	562	499	687	708	700	654
Wicomico	1,766	1,812	1,774	1,725	1,425	1,363	1,450	1,319	1,358	1,310
Worcester	999	959	1,076	991	1,186	1,041	1,245	1,209	1,094	1,107
SECOND CIRCUIT	3,968	3,872	3,823	3,545	3,978	3,771	3,989	3,700	3,917	3,441
Caroline	530	510	499	491	673	555	697	729	656	547
Cecil	1,614	1,651	1,514	1,353	1,701	1,612	1,601	1,428	1,626	1,428
Kent	285	278	310	284	270	297	379	297	451	445
Queen Anne's	758	728	753	702	671	704	644	626	563	562
Talbot	781	705	747	715	663	603	668	620	621	459
THIRD CIRCUIT	12,767	12,770	13,328	12,262	14,168	11,591	15,153	11,933	14,547	12,061
Baltimore	10,290	10,739	10,507	10,039	11,200	9,472	12,044	9,758	11,633	9,640
Harford	2,477	2,031	2,821	2,233	2,968	2,119	3,109	2,175	2,914	2,421
FOURTH CIRCUIT	3,425	3,180	3,620	3,239	4,016	3,735	4,372	3,788	4,381	3,558
Allegany	1,064	1,100	954	705	1,048	919	1,134	864	1,221	774
Garrett	455	476	511	539	510	518	503	498	541	537
Washington	1,906	1,604	2,155	1,995	2,458	2,298	2,735	2,426	2,619	2,247
FIFTH CIRCUIT	11,770	9,044	14,583	13,985	16,743	14,166	16,320	12,573	14,110	13,338
Anne Arundel	8,125	5,386	10,901	10,535	12,645	10,369	11,967	8,810	9,835	9,453
Carroll	1,712	1,747	1,667	1,532	1,784	1,549	1,883	1,718	1,895	1,785
Howard	1,933	1,911	2,015	1,918	2,314	2,248	2,470	2,045	2,380	2,100
SIXTH CIRCUIT	13,371	11,069	13,667	12,587	13,838	13,474	14,492	12,331	14,944	11,627
Frederick	1,773	1,891	1,957	1,796	1,883	1,901	2,134	1,957	2,274	1,866
Montgomery	11,598	9,178	11,710	10,791	11,955	11,573	12,358	10,374	12,670	9,761
SEVENTH CIRCUIT	20,220	17,027	22,378	23,357	21,695	17,076	23,406	18,139	26,462	24,648
Calvert	712	720	839	668	798	746	896	892	914	888
Charles	1,752	1,623	1,692	1,594	1,860	1,705	2,212	2,104	2,990	2,535
Prince George's	16,533	13,448	18,738	20,046	18,046	13,729	19,309	14,269	20,817	19,652
St. Mary's	1,223	1,236	1,109	1,049	991	896	989	874	1,741	1,573
EIGHTH CIRCUIT	18,215	10,547	18,746	13,181	23,348	18,076	24,187	16,367	23,282	11,879
Baltimore City	18,215	10,547	18,746	13,181	23,348	18,076	24,187	16,367	23,282	11,879
STATE	87,918	71,439	94,586	86,370	102,030	85,806	106,716	83,646	106,193	84,894

TABLE CC-20
CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dispositions	Trials	Per- centages	Court Trials	Per- centages	Jury Trials	Per- centages
FIRST CIRCUIT	4,342	260	6.0	223	5.1	37	0.9
Dorchester	1,271	38	3.0	31	2.4	7	0.6
Somerset	654	37	5.7	37	5.7	0	0.0
Wicomico	1,310	94	7.2	82	6.3	12	0.9
Worcester	1,107	91	8.2	73	6.6	18	1.6
SECOND CIRCUIT	3,441	556	16.2	508	14.8	48	1.4
Caroline	547	155	28.3	146	26.7	9	1.6
Cecil	1,428	360	25.2	340	23.8	20	1.4
Kent	445	7	1.6	4	0.9	3	0.7
Queen Anne's	562	18	3.2	12	2.1	6	1.1
Talbot	459	16	3.5	6	1.3	10	2.2
THIRD CIRCUIT	12,061	901	7.5	731	6.1	170	1.4
Baltimore	9,640	460	4.8	308	3.2	152	1.6
Harford	2,421	441	18.2	423	17.5	18	0.7
FOURTH CIRCUIT	3,558	315	8.8	265	7.4	50	1.4
Allegany	774	141	18.2	110	14.2	31	4.0
Garrett	537	87	16.2	85	15.8	2	0.4
Washington	2,247	87	3.9	70	3.1	17	0.8
FIFTH CIRCUIT	13,338	719	5.4	556	4.2	163	1.2
Anne Arundel	9,453	398	4.2	283	3.0	115	1.2
Carroll	1,785	61	3.4	48	2.7	13	0.7
Howard	2,100	260	12.4	225	10.7	35	1.7
SIXTH CIRCUIT	11,627	1,603	13.8	1,426	12.3	177	1.5
Frederick	1,866	307	16.4	273	14.6	34	1.8
Montgomery	9,761	1,296	13.3	1,153	11.8	143	1.5
SEVENTH CIRCUIT	24,648	3,613	14.6	3,185	12.9	428	1.7
Calvert	888	119	13.4	91	10.2	28	3.2
Charles	2,535	388	15.3	363	14.3	25	1.0
Prince George's	19,652	3,083	15.7	2,713	13.8	370	1.9
St. Mary's	1,573	23	1.5	18	1.2	5	0.3
EIGHTH CIRCUIT	11,879	1,092	9.2	955	8.0	137	1.2
Baltimore City	11,879	1,092	9.2	955	8.0	137	1.2
STATE	84,894	9,059	10.7	7,849	9.2	1,210	1.4

TABLE CC-21
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES TRIED

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
FIRST CIRCUIT	218	173	264	226	260
Dorchester	22	18	36	27	38
Somerset	23	25	24	17	37
Wicomico	117	85	112	117	94
Worcester	56	45	92	65	91
SECOND CIRCUIT	343	401	551	494	556
Caroline	9	50	104	113	155
Cecil	282	266	381	340	360
Kent	14	21	16	7	7
Queen Anne's	36	52	42	21	18
Talbot	2	12	8	13	16
THIRD CIRCUIT	1,167	1,025	827	935	901
Baltimore	597	515	437	481	460
Harford	570	510	390	454	441
FOURTH CIRCUIT	449	311	262	342	315
Allegany	138	74	98	160	141
Garrett	100	109	90	85	87
Washington	211	128	74	97	87
FIFTH CIRCUIT	1,466	1,104	647	878	719
Anne Arundel	772	614	304	472	398
Carroll	509	300	124	193	61
Howard	185	190	219	213	260
SIXTH CIRCUIT	2,963	2,209	859	1,086	1,603
Frederick	411	370	263	300	307
Montgomery	2,552	1,839	596	786	1,296
SEVENTH CIRCUIT	2,139	1,415	1,466	3,194	3,613
Calvert	122	113	127	161	119
Charles	337	311	338	467	388
Prince George's	1,626	943	918	2,523	3,083
St. Mary's	54	48	83	43	23
EIGHTH CIRCUIT	354*	1,343	1,635	1,210	1,092
Baltimore City	354*	1,343	1,635	1,210	1,092
STATE	9,099*	7,981	6,511	8,365	9,059

*Reporting of cases tried from Baltimore City is not completely available for Fiscal 1983.

NOTE: See note on Table CC-10.

TABLE CC-22

**CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1986—JUNE 30, 1987
FISCAL 1987**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	556	222	148	39.7	64.6	80.6	93.3	97.3
Somerset	340	163	98	56.5	78.5	87.9	95.6	97.6
Wicomico	1,045	228	179	35.5	61.0	74.4	93.6	98.7
Worcester	849	211	177	28.0	58.3	84.7	97.3	98.8
SECOND CIRCUIT								
Caroline	331	202	179	25.7	61.9	82.5	97.0	99.1
Cecil	934	247	143	36.9	69.8	84.9	95.7	98.5
Kent	290	214	141	36.6	65.9	80.0	92.1	98.6
Queen Anne's	386	223	181	27.7	62.7	75.9	94.6	98.7
Talbot	332	227	163	33.4	66.3	80.1	94.6	98.8
THIRD CIRCUIT								
Baltimore	9,188	326	213	22.8	50.1	64.4	86.8	95.5
Harford	1,955	322	186	24.8	53.8	70.6	86.4	95.0
FOURTH CIRCUIT								
Allegany	654	294	216	20.0	51.8	68.0	89.6	97.9
Garrett	360	208	187	31.7	60.3	77.2	97.8	99.7
Washington	1,479	238	182	34.7	60.2	74.7	93.1	98.3
FIFTH CIRCUIT								
Anne Arundel	6,275	399	228	17.9	43.8	63.7	85.0	91.9
Carroll	1,480	346	187	25.2	54.0	68.8	84.6	92.2
Howard	1,829	364	262	13.0	40.5	60.1	87.5	96.6
SIXTH CIRCUIT								
Frederick	1,496	224	184	25.5	59.3	78.9	95.4	98.6
Montgomery	7,834	369	242	15.5	44.7	61.0	85.8	94.9
SEVENTH CIRCUIT								
Calvert	792	253	191	27.3	56.6	74.1	92.3	97.9
Charles	1,289	241	192	25.8	57.6	76.2	94.0	98.9
Prince George's	13,456	338	206	23.0	50.3	68.4	86.8	94.3
St. Mary's	1,075	205	173	31.5	61.2	78.9	96.1	99.0
EIGHTH CIRCUIT								
Baltimore City	11,394	375	243	15.8	42.2	58.7	81.8	95.6
STATE	65,619	333	214	21.7	49.5	66.4	87.0	95.4

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

TABLE CC-23
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS
FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	1,493	1,399	1,489	1,494	1,594	1,512	2,142	1,815	2,498	2,363
Dorchester	169	154	215	190	260	253	286	246	310	305
Somerset	115	61	108	122	155	150	190	139	228	211
Wicomico	686	652	668	685	632	637	976	829	1,050	1,031
Worcester	523	532	498	497	547	472	690	601	910	816
SECOND CIRCUIT	1,020	1,058	915	908	956	925	1,219	1,004	1,568	1,335
Caroline	146	129	123	124	142	116	179	166	281	210
Cecil	423	457	465	416	429	461	456	391	582	471
Kent	105	87	48	56	54	57	127	88	169	158
Queen Anne's	171	197	165	161	165	170	194	180	261	220
Talbot	175	188	114	151	166	121	263	179	275	276
THIRD CIRCUIT	6,506	5,540	6,378	5,649	7,136	6,033	8,871	7,170	10,573	8,619
Baltimore	5,564	4,820	5,211	4,806	5,799	4,976	7,374	5,924	8,717	7,099
Harford	942	720	1,167	843	1,337	1,066	1,497	1,246	1,856	1,520
FOURTH CIRCUIT	743	792	729	718	844	770	1,042	841	1,299	1,136
Allegany	166	201	219	178	248	232	362	286	341	323
Garrett	134	149	86	109	113	85	91	107	105	119
Washington	443	442	424	431	483	453	589	448	853	694
FIFTH CIRCUIT	4,414	3,779	5,010	4,116	5,135	4,870	5,643	5,063	6,516	5,432
Anne Arundel	2,421	2,189	2,493	1,925	2,562	2,313	2,822	2,413	3,380	2,707
Carroll	837	588	1,196	980	1,134	1,218	1,162	1,117	1,224	910
Howard	1,156	1,002	1,321	1,211	1,439	1,339	1,659	1,533	1,912	1,815
SIXTH CIRCUIT	3,529	2,582	4,538	3,754	5,465	4,443	5,960	4,408	6,993	3,337
Frederick	345	395	357	317	487	472	644	473	786	645
Montgomery	3,184	2,187	4,181	3,437	4,978	3,971	5,316	3,935	6,207	2,692
SEVENTH CIRCUIT	5,823	5,120	6,747	6,609	7,987	7,208	8,654	7,854	9,649	8,639
Calvert	167	133	206	193	342	281	369	352	316	346
Charles	678	553	571	517	613	571	774	646	948	812
Prince George's	4,744	4,226	5,645	5,607	6,707	6,038	7,138	6,497	7,559	6,945
St. Mary's	234	208	325	292	325	318	373	359	826	536
EIGHTH CIRCUIT	10,334	8,459	10,932	11,210	13,430	13,772	15,129	14,859	16,151	14,049
Baltimore City	10,334	8,459	10,932	11,210	13,430	13,772	15,129	14,859	16,151	14,049
STATE	33,862	28,729	36,738	34,458	42,547	39,533	48,660	43,014	55,247	44,910

TABLE CC-24
CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Dispositions	Trials	Per- centages	Court Trials	Per- centages	Jury Trials	Per- centages
FIRST CIRCUIT	2,363	805	34.1	658	27.9	147	6.2
Dorchester	305	93	30.5	78	25.6	15	4.9
Somerset	211	54	25.6	36	17.1	18	8.5
Wicomico	1,031	187	18.1	131	12.7	56	5.4
Worcester	816	471	57.7	413	50.6	58	7.1
SECOND CIRCUIT	1,335	363	27.2	234	17.5	129	9.7
Caroline	210	59	28.1	24	11.4	35	16.7
Cecil	471	125	26.5	59	12.5	66	14.0
Kent	158	9	5.7	6	3.8	3	1.9
Queen Anne's	220	3	1.4	3	1.4	0	0.0
Talbot	276	167	60.5	142	51.4	25	9.1
THIRD CIRCUIT	8,619	404	4.7	282	3.3	122	1.4
Baltimore	7,099	340	4.8	246	3.5	94	1.3
Harford	1,520	64	4.2	36	2.4	28	1.8
FOURTH CIRCUIT	1,136	179	15.8	76	6.7	103	9.1
Allegany	323	50	15.5	22	6.8	28	8.7
Garrett	119	17	14.3	9	7.6	8	6.7
Washington	694	112	16.1	45	6.5	67	9.6
FIFTH CIRCUIT	5,432	659	12.1	524	9.6	135	2.5
Anne Arundel	2,707	490	18.1	401	14.8	89	3.3
Carroll	910	66	7.3	57	6.3	9	1.0
Howard	1,815	103	5.7	66	3.7	37	2.0
SIXTH CIRCUIT	3,337	503	15.1	129	3.9	374	11.2
Frederick	645	44	6.8	20	3.1	24	3.7
Montgomery	2,692	459	17.1	109	4.0	350	13.0
SEVENTH CIRCUIT	8,639	268	3.1	45	0.5	223	2.6
Calvert	346	24	6.9	15	4.3	9	2.6
Charles	812	56	6.9	17	2.1	39	4.8
Prince George's	6,945	178	2.6	11	0.2	167	2.4
St. Mary's	536	10	1.9	2	0.4	8	1.5
EIGHTH CIRCUIT	14,049	763	5.4	394	2.8	369	2.6
Baltimore City	14,049	763	5.4	394	2.8	369	2.6
STATE	44,910	3,944	8.8	2,342	5.2	1,602	3.6

NOTE: See note on Table CC-10.

TABLE CC-25
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED
FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
FIRST CIRCUIT	510	599	606	598	805
Dorchester	137	156	153	110	93
Somerset	56	57	60	46	54
Wicomico	261	163	173	186	187
Worcester	56	223	220	256	471
SECOND CIRCUIT	515	378	275	239	363
Caroline	86	79	28	23	59
Cecil	169	86	87	109	125
Kent	15	12	1	5	9
Queen Anne's	136	110	99	52	3
Talbot	109	91	60	50	167
THIRD CIRCUIT	2,668	2,828	278	291	404
Baltimore	2,577	2,698	175	188	340
Harford	91	130	103	103	64
FOURTH CIRCUIT	372	172	185	164	179
Allegany	200	77	75	64	50
Garrett	52	21	11	22	17
Washington	120	74	99	78	112
FIFTH CIRCUIT	1,829	1,512	1,227	813	659
Anne Arundel	520	514	468	422	490
Carroll	654	361	112	96	66
Howard	655	637	647	295	103
SIXTH CIRCUIT	290	348	517	457	503
Frederick	83	82	232	169	44
Montgomery	207	266	285	288	459
SEVENTH CIRCUIT	281	299	253	263	268
Calvert	10	25	30	32	24
Charles	48	36	41	53	56
Prince George's	203	221	161	168	178
St. Mary's	20	17	21	10	10
EIGHTH CIRCUIT	1,395	1,159	1,126	791	763
Baltimore City	1,395	1,159	1,126	791	763
STATE	7,860	7,295	4,467	3,616	3,944

NOTE: See note on Table CC-10.

TABLE CC-26

**CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1986—JUNE 30, 1987
FISCAL 1987**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	257	135	121	2.7	22.2	63.8	84.4	99.6
Somerset	210	129	128	9.0	20.0	54.8	83.8	99.5
Wicomico	823	100	97	17.1	49.6	76.9	94.3	99.8
Worcester	750	113	112	10.1	33.7	65.2	91.6	99.7
SECOND CIRCUIT								
Caroline	183	169	160	8.2	15.8	31.7	62.3	98.4
Cecil	394	163	146	7.6	15.7	33.5	67.8	96.7
Kent	129	173	125	14.7	31.8	48.1	79.8	98.4
Queen Anne's	161	158	134	9.3	23.0	42.2	77.6	97.5
Talbot	222	237	186	5.0	9.0	19.8	47.7	95.9
THIRD CIRCUIT								
Baltimore	5,753	138	125	11.2	36.6	64.9	82.7	96.6
Harford	1,134	212	166	5.6	22.0	31.3	51.9	88.0
FOURTH CIRCUIT								
Allegany	300	182	165	5.7	25.3	33.7	57.0	93.0
Garrett	109	124	124	26.6	36.7	48.6	83.5	100.0
Washington	599	156	146	8.3	19.9	41.4	67.3	96.8
FIFTH CIRCUIT								
Anne Arundel	2,218	181	149	7.0	19.5	35.1	66.1	93.1
Carroll	699	237	161	8.0	15.6	31.3	58.7	95.4
Howard	1,289	156	135	3.8	25.4	50.8	74.2	94.7
SIXTH CIRCUIT								
Frederick	612	134	128	18.8	34.2	50.2	79.2	98.0
Montgomery	2,168	226	178	11.9	18.4	26.8	42.8	85.5
SEVENTH CIRCUIT								
Calvert	261	95	95	28.4	44.4	70.5	95.4	100.0
Charles	550	154	141	8.5	14.7	36.5	76.0	97.3
Prince George's	6,315	119	111	20.3	45.7	63.5	83.3	98.0
St. Mary's	413	134	127	15.3	32.4	48.4	80.4	98.3
EIGHTH CIRCUIT								
Baltimore City	14,049	97	81	50.0	61.6	74.8	87.8	97.2
STATE	39,598	132	112	25.9	42.6	60.3	79.4	96.1

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

TABLE CC-27
FIVE-YEAR COMPARATIVE TABLE
JUVENILE CAUSES
FILINGS AND TERMINATIONS
FISCAL 1983—FISCAL 1987

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1982-83		1983-84		1984-85		1985-86		1986-87	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	523	474	468	493	528	470	613	575	622	608
Dorchester	95	78	149	153	149	141	136	135	157	146
Somerset	35	24	42	40	42	39	63	51	93	86
Wicomico	217	197	141	163	188	171	218	227	196	187
Worcester	176	175	136	137	149	119	196	162	176	189
SECOND CIRCUIT	614	604	631	628	691	672	683	644	774	757
Caroline	74	74	65	68	82	76	101	91	79	79
Cecil	274	259	377	364	354	362	319	302	341	346
Kent	40	37	30	25	48	48	45	42	48	45
Queen Anne's	125	124	73	74	103	103	106	103	127	116
Talbot	101	110	86	97	104	83	112	106	179	171
THIRD CIRCUIT	3,008	2,722	3,225	3,191	3,840	3,674	4,463	4,558	4,672	4,499
Baltimore	2,487	2,479	2,634	2,681	3,177	3,076	3,719	3,861	3,975	3,864
Harford	521	243	591	510	663	598	744	697	697	635
FOURTH CIRCUIT	962	960	1,029	1,013	1,087	1,073	1,231	1,162	999	1,010
Allegany	347	357	371	349	406	413	439	403	266	295
Garrett	135	132	104	113	95	95	90	87	101	89
Washington	480	471	554	551	586	565	702	672	632	626
FIFTH CIRCUIT	3,722	3,495	4,134	3,858	4,159	4,286	4,718	4,369	4,703	4,623
Anne Arundel	2,652	2,560	3,107	2,805	3,043	3,155	3,468	3,246	3,508	3,458
Carroll	641	594	571	579	625	589	558	492	638	619
Howard	429	341	456	474	491	542	692	631	557	546
SIXTH CIRCUIT	3,882	3,844	4,391	3,979	4,169	3,954	4,074	4,148	4,074	3,637
Frederick	239	251	260	258	348	326	385	372	328	330
Montgomery*	3,643	3,593	4,131	3,721	3,821	3,628	3,689	3,776	3,746	3,307
SEVENTH CIRCUIT	6,442	6,376	6,436	6,133	6,384	6,550	7,362	7,198	7,472	7,362
Calvert	277	277	272	273	327	308	320	338	306	254
Charles	696	743	747	657	722	764	818	799	772	777
Prince George's	5,274	5,164	5,270	5,074	5,163	5,333	6,095	5,894	6,149	6,114
St. Mary's	195	192	147	129	172	145	129	167	245	217
EIGHTH CIRCUIT	11,008	7,905	10,443	7,942	10,350	9,379	11,379	10,245	12,869	12,368
Baltimore City	11,008	7,905	10,443	7,942	10,350	9,379	11,379	10,245	12,869	12,368
STATE	30,161	26,380	30,757	27,237	31,208	30,058	34,523	32,899	36,185	34,864

*Includes juvenile causes processed at the District Court level.

TABLE CC-28

**JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

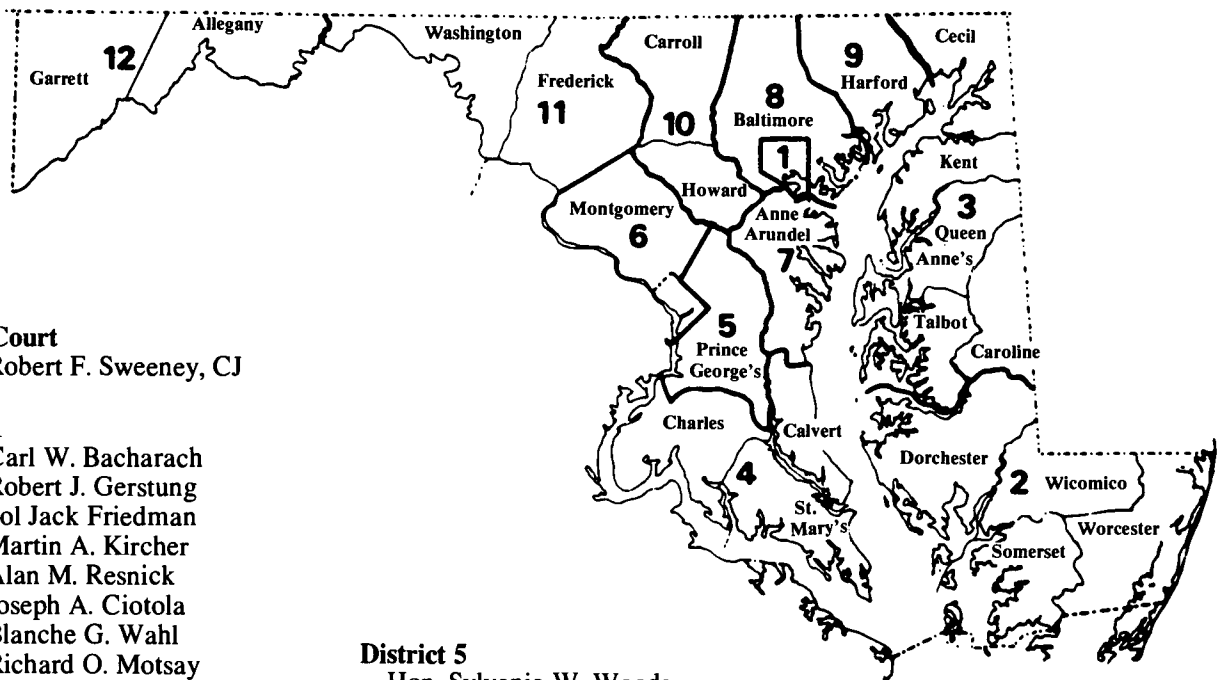
**JULY 1, 1986—JUNE 30, 1987
FISCAL 1987**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
		All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	88	37	37	48.9	92.0	98.9	100.0	100.0	100.0
Somerset	59	35	19	78.0	93.2	94.9	94.9	94.9	100.0
Wicomico	130	53	35	52.3	87.7	94.6	97.7	97.7	98.5
Worcester	178	73	58	19.1	72.5	87.1	91.6	96.1	96.1
SECOND CIRCUIT									
Caroline	49	55	50	26.5	57.1	95.9	98.0	98.0	100.0
Cecil	338	75	56	16.6	65.1	89.1	92.0	94.4	96.7
Kent	28	37	37	64.3	85.7	96.4	100.0	100.0	100.0
Queen Anne's	74	55	47	24.3	75.7	97.3	97.3	97.3	98.6
Talbot	101	81	60	23.8	63.4	89.1	93.1	99.0	99.0
THIRD CIRCUIT									
Baltimore	2,248	59	48	30.7	72.2	90.8	94.9	97.6	98.6
Harford	383	78	59	22.5	58.2	90.6	94.8	97.4	98.4
FOURTH CIRCUIT									
Allegany	276	79	67	40.9	60.1	78.3	85.5	95.3	99.3
Garrett	63	38	38	55.6	79.4	95.2	98.4	100.0	100.0
Washington	363	50	43	46.6	77.7	95.0	97.5	98.6	98.9
FIFTH CIRCUIT									
Anne Arundel	1,640	87	80	9.9	33.4	82.3	94.1	97.6	99.0
Carroll	358	91	82	9.5	24.0	85.5	94.7	97.5	98.9
Howard	472	83	72	11.0	35.2	91.9	96.2	98.7	99.2
SIXTH CIRCUIT									
Frederick	182	81	70	28.0	47.3	81.3	92.3	96.7	98.9
Montgomery	1,539	171	106	13.2	29.0	63.5	77.8	88.8	92.2
SEVENTH CIRCUIT									
Calvert	208	154	81	11.5	26.9	70.2	78.4	88.0	100.0
Charles	454	66	65	6.6	44.7	97.6	99.1	99.8	100.0
Prince George's	3,068	75	71	17.4	45.6	89.2	96.3	98.8	99.3
St. Mary's	201	95	82	6.5	19.9	86.6	98.5	98.5	98.5
EIGHTH CIRCUIT									
Baltimore City	10,702	119	65	30.5	58.0	80.9	87.8	93.5	95.5
STATE	23,202	101	66	24.9	53.3	83.4	90.5	95.2	96.8

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-12.

The District Court

**The District Court — Judiciary Map and Members
as of September 1, 1987**

**District Court**

Hon. Robert F. Sweeney, CJ

District 1

Hon. Carl W. Bacharach
 Hon. Robert J. Gerstung
 Hon. Sol Jack Friedman
 Hon. Martin A. Kircher
 Hon. Alan M. Resnick
 *Hon. Joseph A. Ciotola
 Hon. Blanche G. Wahl
 Hon. Richard O. Motsay
 Hon. Alan B. Lipson
 Hon. George J. Helinski
 Hon. Mary Ellen T. Rinehardt
 Hon. Charlotte M. Cooksey
 Hon. Paul A. Smith
 Hon. H. Gary Bass
 Hon. Keith E. Mathews
 Hon. John C. Themelis
 Hon. Askew W. Gatewood, Jr.
 Hon. Alan J. Karlin
 Hon. Roger W. Brown
 Hon. Carol E. Smith
 Hon. David W. Young
 Hon. Theodore B. Oshrine
 Hon. Andre M. Davis

District 2

Hon. Robert D. Horsey
 *Hon. Thomas C. Groton, III
 Hon. John L. Norton, III
 Hon. Richard D. Warren

District 3

*Hon. Kenneth A. Wilcox
 Hon. L. Edgar Brown
 Hon. John T. Clark, III
 Hon. H. Thomas Sisk, Jr.
 Hon. William H. Adkins, III
 Hon. James C. McKinney

District 4

Hon. Larry D. Lamson
 *Hon. Robert C. Nalley
 Hon. C. Clarke Raley

District 5

Hon. Sylvania W. Woods
 *Hon. Graydon S. McKee, III
 Hon. Francis A. Borelli
 Hon. Bess B. Lavine
 Hon. Theresa A. Nolan
 Hon. William D. Missouri
 Hon. C. Philip Nichols, Jr.
 Hon. Gerard F. Devlin
 Hon. Steven I. Platt
 Hon. John F. Kelly, Sr.

District 6

Hon. Douglas H. Moore, Jr.
 Hon. John C. Tracey
 Hon. Stanley Klavan
 *Hon. Thomas A. Lohm
 Hon. Henry J. Monahan
 Hon. Louis D. Harrington
 Hon. Edwin Collier
 Hon. Cornelius J. Vaughey
 Hon. Jerry H. Hyatt
 Hon. Paul A. McGuckian
 Vacancy

District 7

*Hon. Thomas J. Curley
 Hon. George M. Taylor
 Hon. Robert N. Lucke, Sr.
 Hon. Donald M. Lowman
 Hon. Martha G. Wyatt
 Hon. Lawrence H. Rushworth

District 8

Hon. Edward D. Hardesty
 Hon. Werner G. Schoeler
 Hon. Gerard W. Wittstadt

Hon. John P. Rellas
 Hon. William S. Baldwin
 *Hon. John H. Garmer
 Hon. A. Gordon Boone, Jr.
 Hon. Patricia S. Pytash
 Hon. Alfred L. Brennan, Sr.
 Hon. Christian M. Kahl
 Hon. Barbara Kerr Howe
 Hon. Charles E. Foos, III

District 9

*Hon. Edwin H.W. Harlan, Jr.
 Hon. John S. Landbeck, Jr.
 Hon. Lawrence S. Lanahan, Jr.

District 10

Hon. Donald M. Smith
 *Hon. Francis M. Arnold
 Hon. Diane G. Schulte
 Hon. R. Russell Sadler
 Hon. James N. Vaughan

District 11

Hon. Darrow Glaser
 Hon. James F. Strine
 *Hon. Herbert L. Rollins
 Hon. Frederick J. Bower

District 12

*Hon. Paul J. Stakem
 Hon. Jack R. Turney
 Hon. William T. Finan

*District Administrative Judge

The District Court

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969.

The District Court began operating on July 5, 1971, and replaced an existing miscellaneous system of trial magistrates, people's and municipal courts. It is a court of record, is entirely State funded and has statewide jurisdiction. District Court judges are appointed by the Governor to ten-year terms, subject to Senate confirmation. They do not stand for election. The first Chief Judge of the District Court was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1986, there were 90 judges on the Court, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of \$2,500, or both; and civil cases involving amounts not exceeding \$2,500. It has concurrent jurisdiction with the circuit courts in civil cases over \$2,500 to, but not exceeding, \$10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

The District Court of Maryland received over four percent more motor vehicle cases in Fiscal 1987 than it did during Fiscal 1986. There were 913,589 motor vehicle filings in Fiscal 1987 compared to 873,607 in Fiscal 1986. The four largest counties and Baltimore

City contributed over 63 percent of the total cases received with 583,590 cases. Montgomery County contributed the greatest number of cases with 160,008 followed by Prince George's County with 141,327 and Baltimore County with 139,162. Baltimore City and Anne Arundel County reported 79,103 and 63,990 cases, respectively. Likewise, the number of motor vehicle cases processed also increased, from 799,863 in Fiscal 1986 to 837,370 in Fiscal 1987, an increase of 4.7 percent (Table DC-6). Included in the total number of motor vehicle cases processed in Fiscal 1987 are: 248,276 tried cases; 529,952 paid cases; and 59,142 "other" dispositions which included jury trial prayers, nolle prosequi, and stet cases (Table DC-2).

Criminal

There were 149,157 criminal filings reported for Fiscal 1987, an increase of 6.7 percent over the 139,818 filings reported in Fiscal 1986. Baltimore City contributed over 35 percent of the criminal filings reported with 52,374. Criminal dispositions also increased during Fiscal 1987, from 132,222 in Fiscal 1986 to 143,176 this year. That represents an increase of 8.3 percent (Table DC-7). Of the 143,176 criminal cases processed in Fiscal 1987, 52,037 were tried while 91,139 were untried. Over 36 percent of the criminal caseload was processed in Baltimore City. The four largest counties accounted for 39.9 percent (57,115 cases) of the total criminal workload. Prince George's and Baltimore Counties had the highest activity with 19,534 and 17,199 cases processed, respectively (Table DC-2).

Civil

An increase of 5.6 percent was reported in civil filings during Fiscal 1987. There were 580,296 civil case filings reported in Fiscal 1986 compared to 612,700 in Fiscal 1987 (Table DC-8). Landlord and tenant cases accounted for 71.9 percent (440,267) of all civil filings reported for Fiscal 1987. Contract and tort cases accounted for 24.1 percent (147,396) of the civil filings while "other" complaints, which included attachments before judgment, confessed judgments, and replevin actions, accounted for the remaining four percent. Only 7.9 percent (48,316) of the civil filings reported were contested (Table DC-2).

There were also 19,352 special proceedings received during Fiscal 1987 among which were 2,331 emergency evaluations, 4,420 domestic abuse cases and 212 child abuse cases (Table DC-10).

Trends

The District Court continued its trend of an ever-increasing workload with 1,593,246 total cases being filed or processed during Fiscal 1987—the highest number of cases reported in the Court's sixteen-year history. That figure represented a 5.3 percent increase over the caseload reported last year and it marked the third consecutive year in which increases were reported in all three categories.

With the exception of Fiscal 1984, motor vehicle dispositions have risen steadily over the past five years to the present level of 837,370. Contested motor vehicle cases have also increased. Over 27 percent (248,276) of the motor vehicle cases reported were contested or tried which represents 14,000 more contested motor vehicle cases than in Fiscal 1986 and over 33,000 more than in Fiscal 1985. Montgomery County processed more motor vehicle cases than any other jurisdiction, while Baltimore County had the highest amount of contested cases. Over 46 percent (65,435 out of 141,929) of the motor vehicle cases processed in Baltimore County were tried while 21.7 percent (31,067 out of 143,200) of the cases processed in Montgomery County were tried. Baltimore City also had a high rate of contested cases—45.8 percent (Table DC-2). A portion of this workload increase is directly related to the higher number of cases involving the drinking driver. Table DC-9 illustrates the number of Driving While Intoxicated (DWI) cases received by the District Court of Maryland over a five-year period. In Fiscal 1987, 36,832 DWI cases were filed in the District Court of Maryland—the highest amount during that period. This has also contributed to the higher volume of tried motor vehicle cases as well as demands for jury trials.

Although not as significant as motor vehicle cases, criminal filings and dispositions have also increased steadily over recent years. During Fiscal 1987, there was a 6.7 percent (9,339) increase in criminal filings

over the amount reported in the previous fiscal year. Criminal dispositions increased by 8.3 percent (10,954 cases) in Fiscal 1987 (Table DC-7). Also, for the first time since Fiscal 1984, there has been a constant increase in the number of criminal cases tried. There were 49,748 criminal trials in Fiscal 1986 compared to 52,037 in Fiscal 1987, an increase of 4.6 percent. Likewise, there was a similar climb noted in cases untried, particularly with the number of jury trial prayers. Baltimore City continues to process the greatest number of criminal cases (52,619 or 36.8 percent) followed by Prince George's County with 13.6 percent and Baltimore County with 12 percent.

In the civil area, filings have shown a steady increase over the past five years, from 522,800 in Fiscal 1983 to the present level of 612,700, representing an average annual increase of 4.1 percent. The number of civil contested cases continued to show a steady increase since a significant decline was noticed several years ago. During Fiscal 1987, there were 2,600 more contested civil cases than in Fiscal 1986 and there were 687 more in Fiscal 1986 than in Fiscal 1985. Landlord and tenant cases constitute the majority of the civil filings from year to year. There were over 19,000 additional landlord and tenant filings reported in Fiscal 1987. Baltimore City and Prince George's County have the greatest number of civil filings, 34.3 percent and 24.2 percent, respectively. That is due largely to the high number of landlord and tenant filings in those jurisdictions each year. Table DC-2 provides a more detailed breakdown.

The trend for the foreseeable future in the District Court appears to be that of continuous, steady growth in all three functional categories—civil, criminal, and motor vehicle. Increasing drinking driver and landlord/tenant cases will more than likely play a major role in that growth pattern. It is expected that between 60,000 and 75,000 additional cases will be filed in the District Court of Maryland annually.

TABLE DC-1
DISTRICT COURT — CASELOAD BY FISCAL YEAR

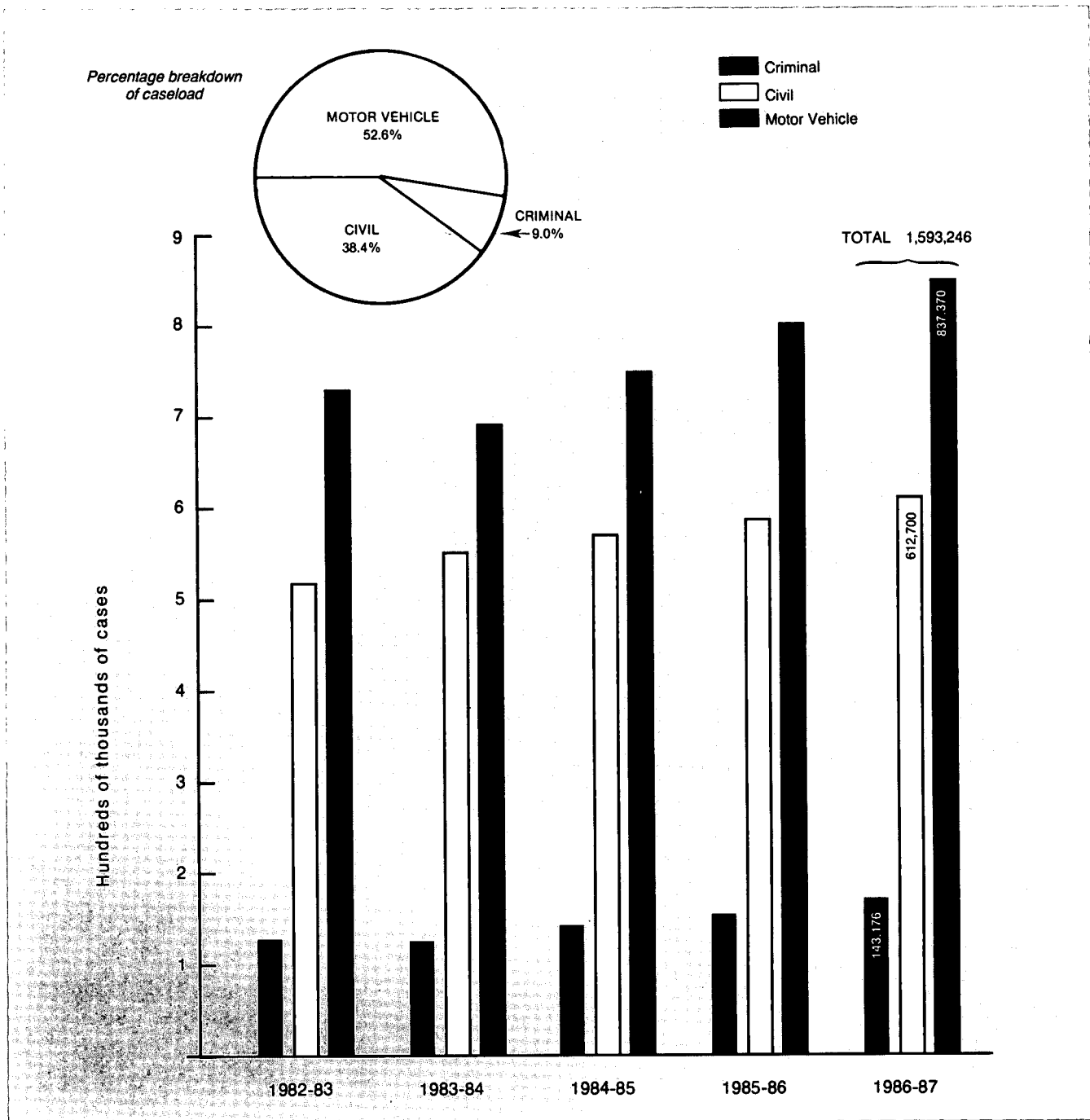


TABLE DC-2

MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	MOTOR VEHICLE CASES PROCESSED BY DISTRICT COURT					CRIMINAL CASES PROCESSED BY DISTRICT COURT	CIVIL CASES FILED IN THE DISTRICT COURT							TOTAL FILED OR PROCESSED
	Cases Received	Cases Tried	Cases Paid	Other Dispositions	Total Cases Processed		Landlord and Tenant	Contract and Tort		Other Complaints Filed	Total			
								Filed	Con- tested		Filed	Con- tested		
DISTRICT 1 Baltimore City	79,103 79,103	32,410 32,410	33,175 33,175	5,231 5,231	70,816 70,816	52,619 52,619	172,051 172,051	33,298 33,298	4,213 4,213	5,050 5,050	210,399 210,399	25,281 25,281	333,834 333,834	
DISTRICT 2 Dorchester Somerset Wicomico Worcester	58,266 9,841 5,620 19,697 23,108	7,372 1,951 531 1,729 3,161	40,980 6,579 4,199 15,400 14,802	3,366 477 167 916 1,806	51,718 9,007 4,897 18,045 19,769	6,919 1,118 601 1,976 3,224	5,932 759 123 4,647 403	6,680 1,386 593 3,002 1,699	561 96 69 182 214	1,107 166 190 439 312	13,719 2,311 906 8,088 2,414	1,543 396 90 820 307	72,356 12,436 6,404 28,109 25,407	
DISTRICT 3 Caroline Cecil Kent Queen Anne's Talbot	52,940 5,612 29,252 3,138 7,059 7,879	8,922 912 4,391 602 1,295 1,722	38,332 4,050 21,614 2,220 4,858 5,590	2,247 294 1,075 164 481 233	49,501 5,256 27,080 2,986 6,634 7,545	5,056 921 2,122 512 580 921	1,630 267 714 103 203 343	5,521 743 1,854 1,062 1,050 812	368 30 161 11 44 122	1,068 142 438 246 147 95	8,219 1,152 3,006 1,411 1,400 1,250	761 88 397 43 60 173	62,776 7,329 32,208 4,909 8,614 9,716	
DISTRICT 4 Calvert Charles St. Mary's	34,596 9,190 15,546 9,860	7,607 3,630 2,668 1,309	19,998 4,652 9,621 5,725	4,376 544 1,426 2,406	31,981 8,826 13,715 9,440	5,068 1,140 2,543 1,385	2,804 137 1,521 1,146	4,792 1,232 2,365 1,195	327 95 135 97	1,054 325 392 337	8,650 1,694 4,278 2,678	644 122 223 299	45,699 11,600 20,536 13,503	
DISTRICT 5 Prince George's	141,327 141,327	31,067 31,067	79,637 79,637	10,986 10,986	121,690 121,690	19,534 19,534	112,724 112,724	29,510 29,510	1,296 1,296	6,022 6,022	148,256 148,256	7,984 7,984	289,480 289,480	
DISTRICT 6 Montgomery	160,008 160,008	31,067 31,067	102,327 102,327	9,806 9,806	143,200 143,200	9,507 9,507	33,605 33,605	19,692 19,692	2,122 2,122	2,645 2,645	55,942 55,942	2,726 2,726	208,649 208,649	
DISTRICT 7 Anne Arundel	63,990 63,990	23,868 23,868	28,376 28,376	3,571 3,571	55,815 55,815	10,875 10,875	19,027 19,027	10,462 10,462	710 710	1,706 1,706	31,195 31,195	1,839 1,839	97,885 97,885	
DISTRICT 8 Baltimore	139,162 139,162	65,435 65,435	68,980 68,980	7,514 7,514	141,929 141,929	17,199 17,199	75,207 75,207	18,578 18,578	2,006 2,006	3,356 3,356	97,141 97,141	4,441 4,441	256,269 256,269	
DISTRICT 9 Harford	35,738 35,738	9,488 9,488	20,157 20,157	2,126 2,126	31,771 31,771	2,892 2,892	5,256 5,256	3,750 3,750	207 207	659 659	9,665 9,665	623 623	44,328 44,328	
DISTRICT 10 Carroll Howard	70,863 17,471 53,392	18,353 4,382 13,971	42,159 9,988 32,171	4,830 1,558 3,272	65,342 15,928 49,414	5,359 2,021 3,338	6,653 925 5,728	6,141 2,013 4,128	661 138 523	1,013 370 643	13,807 3,308 10,499	1,099 228 871	84,508 21,257 63,251	
DISTRICT 11 Frederick Washington	58,696 36,260 22,436	9,527 6,442 3,085	42,845 25,851 16,994	4,247 2,459 1,788	56,619 34,752 21,867	5,555 2,500 3,055	4,975 2,450 2,525	6,811 3,133 3,678	420 255 165	1,131 470 661	12,917 6,053 6,864	1,055 477 578	75,091 43,305 31,786	
DISTRICT 12 Allegany Garrett	18,900 12,309 6,591	3,160 1,983 1,177	12,986 8,328 4,658	842 693 149	16,988 11,004 5,984	2,593 1,903 690	403 339 64	2,161 1,489 672	266 208 58	226 155 71	2,790 1,983 807	320 231 102	22,371 14,890 7,481	
STATE	913,589	248,276	529,952	59,142	837,370	143,176	440,267	147,396	13,157	25,037	612,700	48,316	1,593,246	

TABLE DC-3
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED
AND CIVIL CASES FILED IN THE DISTRICT COURT
FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	317,645	317,274	330,641	320,613	333,834
DISTRICT 2					
Dorchester	6,653	8,324	9,257	10,365	12,436
Somerset	6,381	6,114	6,026	5,977	6,404
Wicomico	24,590	25,122	25,060	25,901	28,109
Worcester	16,528	16,716	16,790	19,506	25,407
DISTRICT 3					
Caroline	4,353	5,298	9,053	6,701	7,329
Cecil	30,882	28,145	33,197	34,975	32,208
Kent	4,089	4,046	4,938	4,298	4,909
Queen Anne's	9,097	8,145	7,667	9,557	8,614
Talbot	8,976	8,171	9,988	9,928	9,716
DISTRICT 4					
Calvert	10,452	10,339	9,438	9,623	11,660
Charles	13,986	17,782	16,406	18,236	20,536
St. Mary's	9,974	8,675	11,251	11,886	13,503
DISTRICT 5					
Prince George's	279,523	260,429	246,377	270,378	289,480
DISTRICT 6					
Montgomery	178,752	174,031	195,906	211,692	208,649
DISTRICT 7					
Anne Arundel	77,230	87,925	97,685	97,212	97,885
DISTRICT 8					
Baltimore	194,513	203,471	226,227	239,099	256,269
DISTRICT 9					
Harford	37,735	38,235	38,954	40,325	44,328
DISTRICT 10					
Carroll	15,215	14,542	18,387	19,223	21,257
Howard	48,645	46,960	46,120	58,514	63,251
DISTRICT 11					
Frederick	32,432	33,508	36,787	39,127	43,305
Washington	27,473	26,695	29,181	28,748	31,786
DISTRICT 12					
Allegany	13,998	13,440	14,027	13,039	14,890
Garrett	5,568	6,219	8,086	7,458	7,481
STATE	1,374,690	1,369,606	1,447,449	1,512,381	1,593,246

TABLE DC-4
POPULATION AND CASELOAD PER DISTRICT COURT JUDGE^a
AS OF JUNE 30, 1987

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Number of Judges	Population Per Judge ^b	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1						
Baltimore City	23	32,826	9,148	3,079	2,288	14,515
DISTRICT 2						
Dorchester	1	30,200	2,311	9,007	1,118	12,436
Somerset	1	18,200	906	4,897	601	6,404
Wicomico	1	70,700	8,088	18,045	1,976	28,109
Worcester	1	36,100	2,414	19,769	3,224	25,407
DISTRICT 3						
Caroline	1	24,400	1,152	5,256	921	7,329
Cecil	2	34,750	1,503	13,540	1,061	16,104
Kent	1	16,900	1,411	2,986	512	4,909
Queen Anne's	1	29,900	1,400	6,634	580	8,614
Talbot	1	27,200	1,250	7,545	921	9,716
DISTRICT 4						
Calvert	1	43,000	1,694	8,826	1,140	11,660
Charles	1	89,700	4,278	13,715	2,543	20,536
St. Mary's	1	69,900	2,678	9,440	1,385	13,503
DISTRICT 5						
Prince George's	10	67,550	14,826	12,169	1,954	28,949
DISTRICT 6						
Montgomery	8 ^c	79,675	6,993	17,900	1,189	26,082
DISTRICT 7						
Anne Arundel	6	68,250	5,199	9,303	1,813	16,315
DISTRICT 8						
Baltimore	12	57,800	8,095	11,827	1,434	21,356
DISTRICT 9						
Harford	3	50,434	3,222	10,590	964	14,776
DISTRICT 10						
Carroll	2	55,300	1,654	7,964	1,011	10,629
Howard	3	48,000	3,500	16,471	1,113	21,084
DISTRICT 11						
Frederick	2	66,900	3,027	17,376	1,250	21,653
Washington	2	56,650	3,432	10,934	1,528	15,894
DISTRICT 12						
Allegany	2	38,350	992	5,502	952	7,446
Garrett	1	27,400	807	5,984	690	7,481
STATE	87	51,194	7,043	9,625	1,646	18,314

^aChief Judge of District Court not included in statistics. Number of judges as of June 30, 1987.

^bPopulation estimate for July 1, 1987, issued by the Maryland Center for Health Statistics.

^cTwo Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-5
CASES FILED OR PROCESSED IN THE DISTRICT COURT
PER THOUSAND POPULATION

JULY 1, 1986—JUNE 30, 1987
FISCAL 1987

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	755,000	279	94	70	443
DISTRICT 2					
Dorchester	30,200	77	298	37	412
Somerset	18,200	50	269	33	352
Wicomico	70,700	114	255	28	397
Worcester	36,100	67	548	90	705
DISTRICT 3					
Caroline	24,400	47	215	38	300
Cecil	69,500	43	390	31	464
Kent	16,900	84	177	31	292
Queen Anne's	29,900	47	222	20	289
Talbot	27,200	46	277	34	357
DISTRICT 4					
Calvert	43,000	39	205	27	271
Charles	89,700	48	153	29	230
St. Mary's	69,900	38	135	20	193
DISTRICT 5					
Prince George's	675,500	220	180	29	429
DISTRICT 6					
Montgomery	637,400	88	225	15	328
DISTRICT 7					
Anne Arundel	409,500	76	136	27	239
DISTRICT 8					
Baltimore	693,600	140	205	25	370
DISTRICT 9					
Harford	151,300	64	210	20	294
DISTRICT 10					
Carroll	110,600	30	144	19	193
Howard	144,000	73	343	24	440
DISTRICT 11					
Frederick	133,800	45	260	19	324
Washington	113,300	61	193	27	281
DISTRICT 12					
Allegany	76,700	26	144	25	195
Garrett	27,400	30	218	26	274
STATE	4,453,800	138	188	33	359

*Population estimate for July 1, 1987, issued by the Maryland Center for Health Statistics.

TABLE DC-6
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES PROCESSED
BY THE DISTRICT COURT

FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	71,395	61,421	65,938	62,439	70,816
DISTRICT 2					
Dorchester	3,804	5,748	6,367	7,663	9,007
Somerset	5,198	5,011	4,804	4,602	4,897
Wicomico	18,000	18,990	17,490	18,201	18,045
Worcester	13,205	13,028	12,388	14,425	19,769
DISTRICT 3					
Caroline	2,728	3,779	7,449	4,668	5,256
Cecil	27,099	23,998	28,859	30,204	27,080
Kent	2,415	2,669	3,294	2,425	2,986
Queen Anne's	7,193	6,438	6,019	7,972	6,634
Talbot	7,070	6,632	8,236	8,019	7,545
DISTRICT 4					
Calvert	7,746	7,929	7,110	7,176	8,826
Charles	9,841	13,251	11,668	12,669	13,715
St. Mary's	7,763	6,499	8,673	8,828	9,440
DISTRICT 5					
Prince George's	134,660	114,268	104,587	113,503	121,690
DISTRICT 6					
Montgomery	125,098	115,080	133,066	148,355	143,200
DISTRICT 7					
Anne Arundel	40,314	49,594	55,735	57,193	55,815
DISTRICT 8					
Baltimore	102,715	106,617	130,113	135,422	141,929
DISTRICT 9					
Harford	27,304	26,631	27,921	29,013	31,771
DISTRICT 10					
Carroll	8,864	9,958	13,789	14,304	15,928
Howard	40,034	35,348	32,949	44,826	49,414
DISTRICT 11					
Frederick	25,942	26,550	29,229	31,776	34,752
Washington	20,434	19,364	21,374	20,425	21,867
DISTRICT 12					
Allegany	10,666	9,960	10,736	9,574	11,004
Garrett	4,217	4,807	6,718	6,181	5,984
STATE	725,861*	693,570	754,512	799,863	837,370

* 2,156 paid cases are included in the total cases disposed: 1,429 paid cases from Dorchester and Wicomico Counties; 727 paid cases from Frederick and Washington Counties.

TABLE DC-7
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED
PROCESSED IN THE DISTRICT COURT
FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	50,847	48,237	48,760	48,586	52,619
DISTRICT 2					
Dorchester	1,027	930	1,115	1,097	1,118
Somerset	486	497	540	582	601
Wicomico	1,841	1,680	1,618	1,995	1,976
Worcester	1,631	2,036	2,208	2,800	3,224
DISTRICT 3					
Caroline	524	498	579	808	921
Cecil	1,737	1,694	1,790	1,803	2,122
Kent	471	355	490	501	512
Queen Anne's	556	508	544	544	580
Talbot	748	535	687	708	921
DISTRICT 4					
Calvert	825	783	914	1,017	1,140
Charles	1,594	1,630	1,958	2,148	2,543
St. Mary's	953	839	741	1,037	1,385
DISTRICT 5					
Prince George's	20,912	19,866	20,020	17,292	19,534
DISTRICT 6					
Montgomery	8,020	7,776	9,519	9,762	9,507
DISTRICT 7					
Anne Arundel	8,566	7,989	8,461	9,996	10,875
DISTRICT 8					
Baltimore	14,983	17,182	15,429	17,291	17,199
DISTRICT 9					
Harford	2,487	2,842	2,560	2,742	2,892
DISTRICT 10					
Carroll	1,335	1,705	1,653	1,732	2,021
Howard	2,728	2,842	3,029	3,043	3,338
DISTRICT 11					
Frederick	1,811	2,302	2,452	2,257	2,500
Washington	1,847	1,915	2,247	2,258	3,055
DISTRICT 12					
Allegany	1,699	1,723	1,737	1,669	1,903
Garrett	557	604	603	554	690
STATE	128,185	126,968	129,654	132,222	143,176

TABLE DC-8
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES FILED
IN THE DISTRICT COURT
FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	195,403	207,616	215,943	209,588	210,399
DISTRICT 2					
Dorchester	1,822	1,646	1,775	1,605	2,311
Somerset	697	606	682	793	906
Wicomico	4,749	4,452	5,952	5,705	8,088
Worcester	1,692	1,652	2,194	2,281	2,414
DISTRICT 3					
Caroline	1,101	1,021	1,025	1,225	1,152
Cecil	2,046	2,453	2,548	2,968	3,006
Kent	1,203	1,022	1,154	1,372	1,411
Queen Anne's	1,348	1,199	1,104	1,041	1,400
Talbot	1,158	1,004	1,065	1,201	1,250
DISTRICT 4					
Calvert	1,881	1,627	1,414	1,430	1,694
Charles	2,551	2,901	2,780	3,419	4,278
St. Mary's	1,258	1,337	1,837	2,021	2,678
DISTRICT 5					
Prince George's	123,951	126,295	121,770	139,583	148,256
DISTRICT 6					
Montgomery	45,634	51,175	53,321	53,575	55,942
DISTRICT 7					
Anne Arundel	28,350	30,342	33,489	30,023	31,195
DISTRICT 8					
Baltimore	76,815	79,672	80,685	86,386	97,141
DISTRICT 9					
Harford	7,944	8,762	8,473	8,570	9,665
DISTRICT 10					
Carroll	3,623	2,879	2,945	3,187	3,308
Howard	7,276	8,770	10,142	10,645	10,499
DISTRICT 11					
Frederick	4,679	4,656	5,106	5,094	6,053
Washington	5,192	5,416	5,560	6,065	6,864
DISTRICT 12					
Allegany	1,633	1,757	1,554	1,796	1,983
Garrett	794	808	765	723	807
STATE	522,800	549,068	563,283	580,296	612,700

TABLE DC-9
FIVE-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY
THE DISTRICT COURT OF MARYLAND
FISCAL 1983—FISCAL 1987

	1982-83	1983-84	1984-85	1985-86	1986-87
DISTRICT 1					
Baltimore City	3,325	3,007	3,240	2,875	2,825
DISTRICT 2					
Dorchester	311	288	290	457	405
Somerset	222	255	228	199	162
Wicomico	892	766	577	467	522
Worcester	698	770	772	780	908
DISTRICT 3					
Caroline	123	154	164	172	194
Cecil	1,169	839	813	804	802
Kent	93	96	139	158	213
Queen Anne's	346	248	282	284	278
Talbot	482	454	439	363	306
DISTRICT 4					
Calvert	596	623	560	569	766
Charles	814	528	552	683	822
St. Mary's	588	527	573	509	488
DISTRICT 5					
Prince George's	4,459	3,960	4,081	5,128	6,466
DISTRICT 6					
Montgomery	3,656	3,414	5,364	5,301	5,117
DISTRICT 7					
Anne Arundel	2,925	2,826	3,233	3,514	5,453
DISTRICT 8					
Baltimore	4,704	4,022	4,212	4,368	4,287
DISTRICT 9					
Harford	1,242	1,012	1,070	1,350	1,283
DISTRICT 10					
Carroll	893	775	912	549	536
Howard	1,774	2,156	1,472	2,135	2,114
DISTRICT 11					
Frederick	1,007	1,040	1,054	1,091	1,266
Washington	921	638	798	768	922
DISTRICT 12					
Allegany	801	681	485	523	467
Garrett	289	215	242	255	230
STATE	32,330	29,294	31,552	33,302	36,832

TABLE DC-10
TWO-YEAR COMPARATIVE TABLE
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS
HELD IN THE DISTRICT COURT OF MARYLAND
FISCAL 1986—FISCAL 1987

	<u>Emergency Hearings</u>		<u>Domestic Abuse</u>	
	1985-86	1986-87	1985-86	1986-87
DISTRICT 1				
Baltimore City	299	400	1,890	1,848
DISTRICT 2				
Dorchester	8	20	12	21
Somerset	10	20	11	20
Wicomico	27	47	92	99
Worcester	33	34	29	24
DISTRICT 3				
Caroline	3	7	16	18
Cecil	25	42	83	68
Kent	10	8	10	6
Queen Anne's	6	7	12	27
Talbot	7	8	3	7
DISTRICT 4				
Calvert	19	19	13	11
Charles	16	22	1	3
St. Mary's	30	49	46	50
DISTRICT 5				
Prince George's	569	547	385	496
DISTRICT 6				
Montgomery	229	302	324	304
DISTRICT 7				
Anne Arundel	209	233	313	326
DISTRICT 8				
Baltimore	327	371	570	579
DISTRICT 9				
Harford	36	28	26	28
DISTRICT 10				
Carroll	24	25	45	37
Howard	56	38	100	97
DISTRICT 11				
Frederick	50	42	68	113
Washington	18	18	92	102
DISTRICT 12				
Allegany	29	33	102	88
Garrett	16	11	40	48
STATE	2,056	2,331	4,283	4,420

Judicial Administration

Judicial Administration

Administrative Office of the Courts

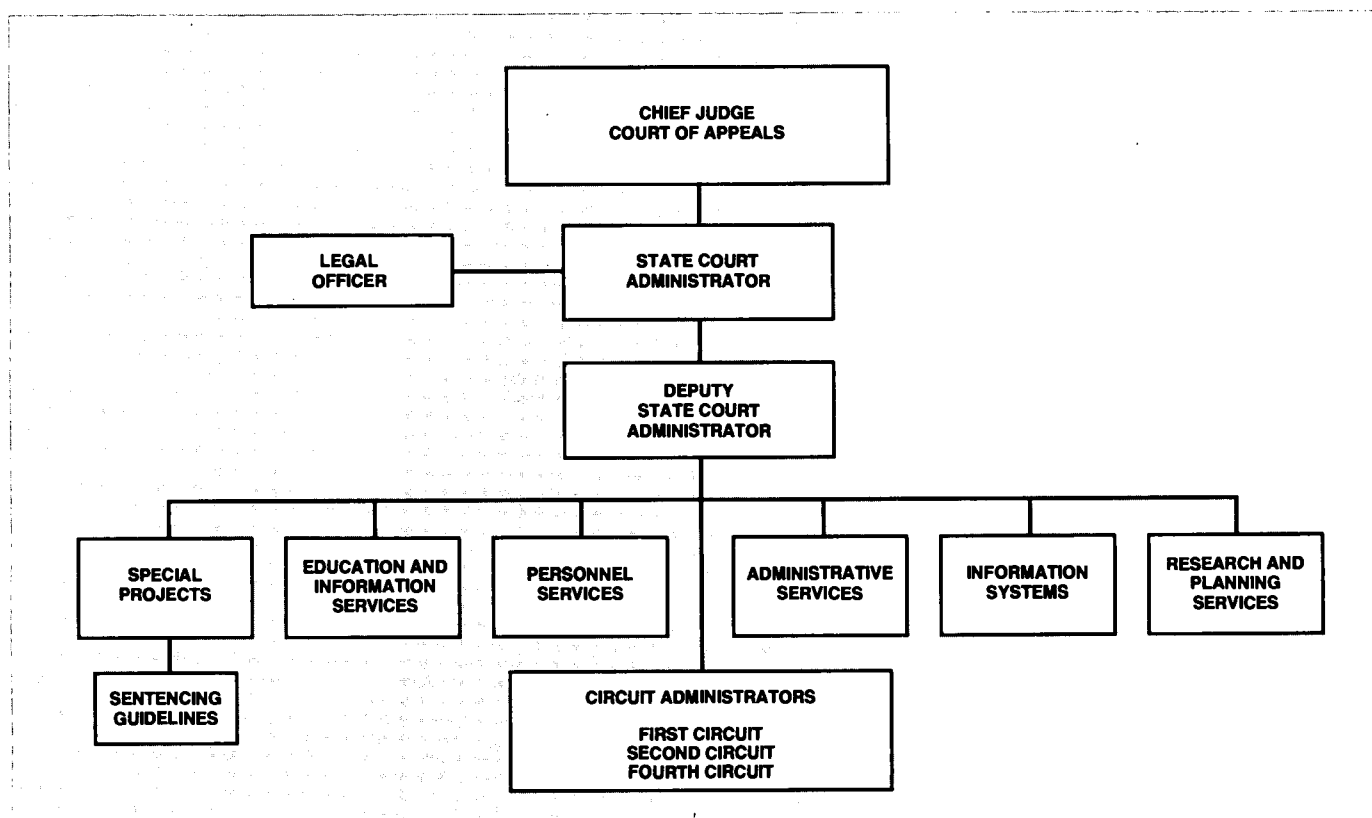
Over four decades ago, Maryland recognized the need for administrative direction to the Judicial branch when Article IV, § 18(b), of the Constitution, was ratified by the voters providing that the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Over 30 years ago, the Maryland General Assembly took the initial steps to provide the administrative and professional staff necessary to assist the Chief Judge in carrying out the administrative responsibilities under the Constitution. The Administrative Office was established 37 years ago under the direction of the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Judge of the Court of Appeals, with duties and responsibilities set forth in § 13-101 of the Courts Article.

The State Court Administrator and the Administrative Office of the Courts provide the Chief Judge

with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the Judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel, and staff support to the Maryland Judicial Conference and the Conference of Circuit Judges. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain activities of the Administrative Office of the Courts during the last twelve months.



Administrative Office of the Courts

Judicial Education and Information

The 1986-87 Judicial Conference year marked the fifth anniversary of the Judicial Institute of Maryland. Chief Judge Robert C. Murphy established the Institute by administrative order on August 24, 1981, recognizing "... the value of judicial education as the most effective means of enhancing the equitable and efficient administration of justice."

During 1987, the Institute offered 20 continuing judicial education courses. Ninety-two percent of the sitting trial and appellate judges selected two days of programs. Newly developed topics in 1987 were pretrial and preargument conferences, trial practicum, custody disputes, jury instruction, the right to forego treatment, substance abuse, tort litigation in the District Court, hearsay, and trends in constitutional law. These supplemented repeat offerings in medicolegal litigation, humanities, marital property, writing, child abuse, immunity, and fourth amendment. New treatments of repeated topics were applied to juvenile court and civil rights litigation.

Eight new trial judges attended the new trial judge orientation seminar. This year's program concentrated heavily on judicial procedure. The board included new topics on civil damages and victim-witness issues.

The Judicial Institute also coordinated the second Juvenile Masters Program on January 29 and 30, 1987. Juvenile masters from across the state studied juvenile sexual issues, the involvement by juveniles in alcohol and other drugs, and search and seizure law. They also used a videotaped mock trial in discussing evidentiary issues arising at trial.

The videotape lending library has expanded to over 200 titles. Besides tapes loaned to newly appointed trial judges, loan requests are also initiated by experienced jurists to supplement their formal continuing legal education. Two new mock trial videos were produced by the Judicial Institute. One trial, on a charge of conspiracy to distribute c.d.s., highlights pretrial motions, the handling of cross-jurisdictional trials, and judicial adjudication of fourth amendment questions. The other tape, a rape trial, reviews evidentiary rulings based upon exceptions to the Maryland hearsay rules.

The annual high school mock trial competition was co-sponsored by the Public Awareness Committee, the Maryland State Bar Association, the Citizenship/Law Related Education Program and the United States Department of Education.

Ninety-one teams from twenty-one jurisdictions entered the 1987 competition. This year both public and private schools competed with each one being represented in the state finals at the Court of Special Appeals on Law Day. A national bicentennial mock trial competition, including the winning teams from 30 states, was held in Washington, D.C., in late May.

Officials from Maryland Public Television agreed to rebroadcast the program series *A View from the Bench* during the summer of 1987. This program was

originally aired in 1986 and was the first of its kind in the country.

Members of the Public Awareness Committee worked closely with electronic media representatives and planned a radio talk show, focusing on the courts, and a series of television spots on a commercial station.

Special Joint Committee on Gender Bias in the Courts. Chief Judge Murphy and Vincent J. Ferretti, President of the Maryland State Bar Association, announced the formation of the Special Joint Committee on Gender Bias in the Courts at a press conference on June 8, 1987. They commissioned this committee to examine if gender bias exists and if it does how it may affect decision making and the treatment of individuals in the courts. The Honorable Hilary D. Caplan will chair the Committee.

Judicial Information Systems

Fiscal Year 1987 marked growth and expansion in many areas for the Judicial Information Systems.

The new fiscal year started with the continued improvements to all aspects of both District Court and circuit court automated systems. The District Court had a new traffic system implemented after many months of programming, testing and debugging by the JIS Programming and Operations staff. This new system will greatly enhance the accuracy and timeliness of the data sent to the District Courts and the State of Maryland Motor Vehicle Administration (SMVA). In December, the entire District Court System including data files, programs, and Job Control Language (JCL) instructions, which actually run the programs, were transferred from the Annapolis Data Center (ADC) to the new Judicial Data Center (JDC) during a 48-hour time period under the constant guidance of the JIS Programming and Operations staff.

Also, during Fiscal Year 1987, the Circuit Statistics and Criminal Reporting System (CSCRS) was transferred from the ADC to the control of the JDC computer with its faster processing time of the data submitted by the circuit courts. During the year, a new and improved jury system was implemented in the eighth circuit—Circuit Court for Baltimore City—which will better facilitate the jury selection process. Also, work was begun on a complete rewrite of their criminal system which tracks offenders through the Baltimore City Circuit Court System.

An increase in the operations staff and the addition of two new groups have contributed to the growth at J.I.S. The first group to be added was the Micro Computer Support Group, whose main responsibility is the maintenance of the hardware (equipment) and support of the software (programs) for some 50 plus personal computers (P.C.'s) within the District Court and circuit court systems. In addition, the group's responsibilities also ranged from instructing in the use of the P.C.'s for word processing to Data Base Analysis. The second group was the Data Quality Control Group whose responsibility will fall in the area of maintaining

the quality of data that comes from both the District Court and the circuit court.

Finally, as of June 30, 1987, the project to automate the circuit courts had reached a point where a Request for Proposal (RFP) to procure hardware and software was issued. Responses are due in mid-August 1987. The National Center for State Courts was retained to review selected court sites, evaluate the potential for automation and prepare a plan. This phase of the project began July 1986 and was completed April 1987. It included a Requirements Analysis, a Conceptual Design, an Automation Plan, and the basic detailed requirements on which to produce an RFP. The actual RFP was finalized and distributed by the cooperative efforts of the Administrative Office of the Courts and the State Comptroller's Office who are the joint sponsors of the project. The bid-selection process, the acquisition of equipment and programs, and the pilot implementation phase in two circuit courts are all to be undertaken by the end of 1987. The complete conversion is scheduled to take place over a three-year period.

Judicial Special Projects

The Special Projects section meets operational needs of the State courts and the Administrative Office of

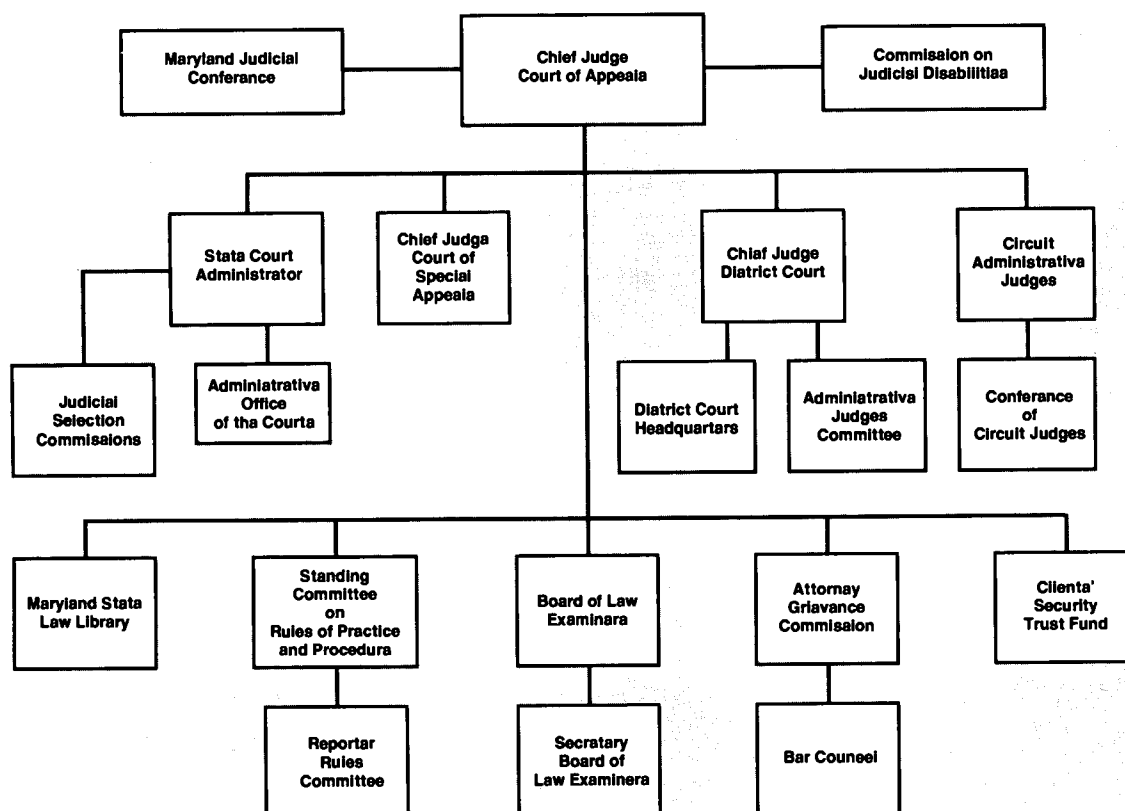
the Courts. It also performs research and analytical projects at the request of the Chief Judge of the Court of Appeals.

This section coordinates the Judicial Nominating Commission Orientation Conference for the new members of the nine judicial nominating commissions and also provides staff to the various nominating commissions when a judicial vacancy occurs.

Additional remodeling was performed for the programming department at Judicial Information Systems located at the Maryland Automobile Insurance Fund building on Forest Drive in Annapolis. Staff was provided for the Judicial Conference Civil Committee. The *Policy and Procedures Manual* has been revised and reformatted resulting in a system of perpetual updating.

The *Annual Report of the Maryland Judiciary 1985-1986* was prepared by this unit in conjunction with the Judicial Research and Planning section.

A special study of the Sentencing Guidelines section was conducted at the request of the Chief Judge of the Court of Appeals. The result of that effort was a reorganization of the department and a merge of Sentencing Guidelines into the Special Projects section.



Administrative Organization

Judicial Research and Planning Services

Providing research and management information pertaining to the operations of the Maryland court system is one of the primary functions of the Judicial Research and Planning unit in the Administrative Office of the Courts. Among its regularly assigned duties, the unit is responsible for: the annual compilation and preparation of workload data on all court levels for the *Annual Report of the Maryland Judiciary*; the annual preparation of statistical analyses pertaining to judgeship needs found in the Chief Judge's (of the Court of Appeals) *Certification of the Need for Additional Judgeships*; the annual preparation of *The Report to the Legislature on Wiretapping and Electronic Surveillance*; the monthly preparation of the *Sixty-Day Reserved Case Report* on all circuit courts in Maryland; the quarterly preparation of judicial workload reports; the compilation of fiscal research data including circuit court personnel and budget information and the costs to operate the circuit courts; the annual preparation of data and analyses found in the *AOC Equal Employment Opportunity and Affirmative Action Program*; and the maintenance of the docket of "out-of-state" attorneys granted or denied special admission to practice under Rule 20 of the Bar Admission Rules.

Over the past several years, staff members in the unit have participated in and conducted a number of research projects at the request of the Chief Judge of the Court of Appeals and the State Court Administrator. During the fiscal year, the section assisted the State Court Administrator in the evaluation phase of a national high school essay contest involving the bicentennial celebration of the creation of the U.S. Constitution. The unit also contributed significant staff support to a special eight-member judicial committee studying District Court jury trial prayers. District Court misdemeanants now constitute more than fifty percent of the criminal caseload in the circuit courts. A full committee report is anticipated in the fall of 1987.

The unit also completed several projects to automate manual procedures in the Administrative Office of the Courts such as those involving the judicial nominating commission process. Staff was involved in the significant undertaking of typesetting the *Annual Report of the Maryland Judiciary* as well as the ballots for the election of lawyer members to appropriate Judicial Nominating Commissions. In Fiscal Year 1988, these efforts will continue along with staff support for Judicial Conference committees, the Judicial Ethics Committee, and the Appellate and Trial Courts Judicial Nominating Commissions.

Judicial Administrative Services

The Judicial Administrative Services' office prepares and monitors the annual judiciary budget, excluding the District Court of Maryland. All accounts payable for the judiciary are processed through this office and

accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Judicial Administrative Services staff. Records must be maintained in order for the legislative auditor to perform timely audits on the fiscal activities of the judiciary. On July 1, 1984, the accounting system was converted to the State Comptroller's data processing accounting system. As of July 1, 1986, the Administrative Office accounting system was totally automated, compatible with that of the Comptroller's Office.

General supplies and equipment are purchased by this office. Staff also prepare and solicit competitive bids on all major equipment, furniture, and supplies. This section, along with the Department of General Services, ensures that the Courts of Appeal building is maintained.

Inventory controls are established for all furniture and equipment used by the judiciary, which will be an automated control system as of July 1, 1987. All inventory will have bar codes that will be recorded by an operator using a scanning device which will automatically record furniture or equipment into the system. Other responsibilities include maintaining lease agreements for all leased property, monitoring the safety and maintenance records of the judiciary automobile fleet, and performing special projects as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel Unit has been involved in improvement of its human resources information management system. The improvements include the areas of wage and salary administration, performance evaluation, and applicant tracking resulting in the enlargement of its data base.

Additionally, there has been substantial involvement with technological transfer of the data elements of the automated human resources information management system in both the executive and judicial branches of State government. The enlargement of the human resource data base has materially assisted in the preparation of the personnel salary forecasting for use in preparing the annual budget estimates for the Judiciary.

The basic human resources information management system programs are resident in an IBM minicomputer system which provides a host of management reports for use by management officials of the Judiciary. A microcomputer is now being used to supplement the minicomputer to provide more timely information at the human resources work site.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges

with information to help them in sentencing and to create a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and are evaluated by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the Sentencing Guidelines Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data used to review and update the guidelines.

Ongoing training in the use of the guidelines exists in several forms. All appointees to the circuit court receive an orientation regarding the function and use of sentencing guidelines. At the annual Judicial Institute, there is an opportunity for new judges to ask questions that may have arisen during their first months of using guidelines. An instructional videotape is available for every jurisdiction and is sent upon request. As work sheets are edited, requests for missing information are returned to the circuit. Once returned to the Sentencing Guidelines department, this data is added to the main file for future analysis.

The Judicial Conference has approved a new manual for sentencing guidelines based on the extensive efforts of the Sentencing Guidelines Revision Subcommittee and the Advisory Board. This revision was based on three years of sentencing data that was compiled and analyzed. While the analysis was being conducted, the department was reorganized and merged into the Special Projects section.

Liaison with the Legislative and Executive Branches

The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support of or opposition to legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court headquarters. With respect to more fundamental policy issues, including presentation of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Circuit Court Administration

Most of the activities affecting circuit court administration are covered in other sections of this report. Such areas include: the nature and extent of the

caseload, judicial assignment, subjects addressed by the Conference of Circuit Judges, and legislation enacted in 1987 affecting the circuit courts.

In the last annual report, it was reported that the Circuit Court for Worcester County decided to add motor vehicle drivers' license lists to the voter registration list to increase the number of potential jurors that can be called upon to serve in that county. As a result of that effort, the pool has been increased approximately 62.5%. During the last fiscal year, the Circuit Court for Baltimore City undertook a study to determine what the impact would be there. No decision has yet been made.

Also, it was reported in the last report that the first step was taken to effect the manner of funding of circuit court clerks' offices. A constitutional amendment to change the funding structure was passed in early 1986 and was ratified at the November 1986 election, effective July 1, 1987. These offices are fully state-funded by state general fund appropriations, and all revenues from fees, costs, and commissions will be remitted to the State General Fund.



Column in the Statehouse, Annapolis

Further, it was reported that the circuit court clerks had endorsed a comprehensive study to assess the data processing needs of their offices. That study was completed in the last fiscal year. A final report was issued with recommendations. A state-wide automation plan has been adopted that will provide for distributive data processing in the circuit court clerks' offices phased in over time. As of this report, several proposals are being reviewed in response to a Request for Proposal to provide hardware, system software, and application software to address all the needs that the study outlined. The impact of this effort will have to be reported in the next annual report.

In terms of court facility planning, an agreement has been reached in Prince George's County to build a Prince George's County Justice Center to house the District Court, ancillary state agencies, the circuit court and justice-related county agencies. This complex will not be completed until the early 1990's.

Finally, in conjunction with the Department of Human Development at the University of Maryland, the Circuit Court for Prince George's County is sponsoring a Custody Mediation Program. This program offers the delivery of dispute resolution and family services to parents and other family members seeking judicial assistance in resolving conflicts about parental rights and responsibilities. The services are non-adversarial, impartial, and designed to aid families in making decisions regarding the care of minor children. The program has three primary goals: (1) To provide a means of mediating conflicts through active participation of the parents (and persons significant to the family) thus affording the family maximum responsibility for their own lives; (2) to provide education and consultation services to develop parenting practices; and (3) to provide information and community referrals to persons in the family.

District Court Commissioners

by the Chief Judge of the District Court of Maryland
Robert F. Sweeney

Each year more than 150,000 citizens of this state are arrested and charged with the commission of a crime. The decision as to whether or not they shall be deprived of their liberty while awaiting trial, jeopardizing their employment and distressing their families, is important both to the defendant and the community as a whole. Every available statistic indicates that these important decisions are fairly made, with the maximum regard for the rights of all involved, by the 200 men and women who serve as commissioners of the District Court.

One of the more noteworthy aspects of the constitutional amendment which created the District Court of Maryland was Article IV, § 41G, which created the position of commissioner:

"There shall be district court commissioners in the number and with the qualifications and compensation prescribed by law. Commis-

sioners in a district shall be appointed by and serve at the pleasure of the Administrative Judge of the district, subject to the approval of the Chief Judge of the District Court. Commissioners may exercise power only with respect to warrants of arrest, or bail or collateral or other terms of pre-trial release pending hearing, or incarceration pending hearing, and then only as prescribed by law or by rule."

Prior to the creation of the District Court, the function of District Court commissioners had been performed throughout the state by committing magistrates who were, for the most part, part-time political appointees who received little or no training for the functions that they were empowered to perform. In Montgomery County, however, the committing magistrates were well-trained, adequately paid, permanent employees of the People's Court, available 24 hours a day at fixed locations, and it was after this model that the position of District Court commissioner appears to have been patterned.

Under the rules adopted by the Court of Appeals of Maryland, District Court commissioners have been classified as judicial officers, and their role in the administration of the Court—as well as in the lives of our citizens—has been greatly enhanced over that of the committing magistrates whom they succeeded. In all of Maryland's larger jurisdictions, and in several of the smaller, commissioners are on duty twenty-four hours a day, 365 days a year, at fixed locations. In the smaller jurisdictions, part-time, on-call commissioners are used, responding to police and citizens as needed. This constant availability is a great convenience to those who seek the services of a commissioner, either for the issuance of a charging document (where there is probable cause to believe that some individual has committed a violation of the criminal laws of this state) or for the equally important task of determining the conditions of pretrial release of people who have been arrested and charged with crimes.

Because their duties necessarily require them to make judgments concerning the liberty of our citizens and whether or not a citizen is to be charged with the commission of a crime, the District Court commissioners of Maryland are an important and vital cog in the administration of justice in this state. Although they work constantly with the laws of this state and the legal precepts surrounding the rights of accused persons, they are not required to be lawyers, and only a few of them are. The training that they receive, both as to law and procedures, comes, for the most part, from the efforts of a dedicated committee of District Court judges, who prepare and present an annual education program which is attended by each of the Court's 200 commissioners. That committee—the Commissioner Education Committee—also has prepared, and annually updates, a District Court Commissioner Manual, through which each commissioner

can have at his finger tips the appropriate language for charging almost any violation of Maryland law.

Assignment of Judges

Under Article IV, § 18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals has authority to make temporary assignments of active judges to the appellate and trial courts. In addition, pursuant to Article IV, § 3A and § 1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, recalls former judges to sit in courts throughout the state.

While § 1-302 of the Courts Article sets forth certain conditions that limit the extent to which a former judge can be recalled, this reservoir of available judicial manpower has been exceedingly helpful since the legislation was first enacted ten years ago. Using these judges enhances the court's ability to cope with existing caseloads, extended illnesses and judicial vacancies. This is accomplished without calling upon active, full-time judges and, thus, disrupting schedules and delaying case disposition.

In Fiscal 1987, the Chief Judge assigned two active circuit court judges for temporary judicial assignments to circuit courts other than their own for a total of nine days. The Circuit Administrative Judges, pursuant to the Maryland Rules, also moved judges within their circuits. And, exchanges of judges between circuits took place where there was a need to assign judges outside the circuit to handle specific cases.

Further assistance to the circuit courts was provided by judges of the District Court in Fiscal 1987. This assistance consisted of 350 judge days. Included in that figure is 213 judge days provided to the Circuit Court for Baltimore City.

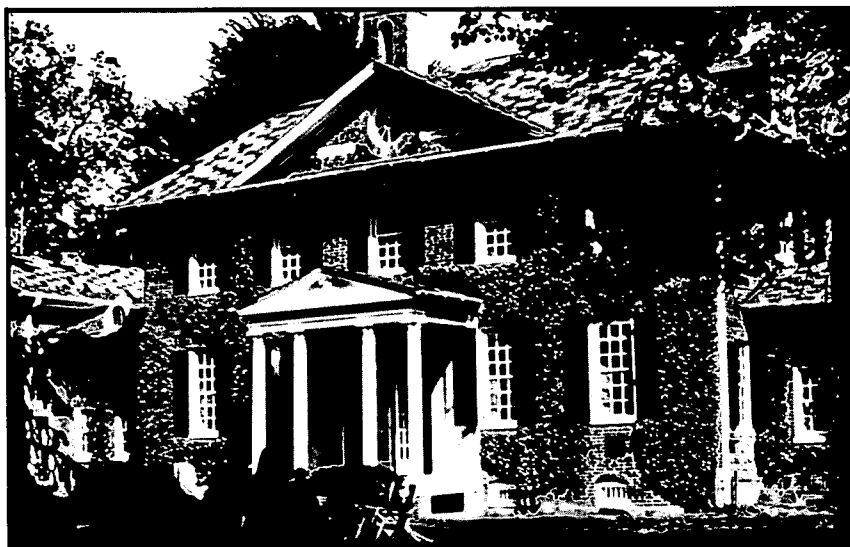
A pool of former judges eligible to be recalled significantly aided the circuit courts throughout the fiscal year. This has been particularly true in the highly

successful court-ordered arbitration program utilized in two of the largest circuit courts in the State—whereby retired judges, acting as settlement masters in civil money-damage suits, and some domestic disputes, have mediated settlement of many hundreds of cases without trial. The Maryland State Bar Association and a Committee of the Maryland Judicial Conference have urged that the program be expanded to other circuit courts. With additional funds appropriated by the legislature, the expansion will take place in Fiscal Year '88. In addition to this effort, the Chief Judge of the Court of Appeals, with the approval of the court, recalled eight former circuit court judges, one former appellate judge and one former District Court judge, to serve in the circuit courts for 211 judge days for the other reasons already given.

The Chief Judge of the District Court pursuant to constitutional authority, made assignments internal to that Court to address unfilled vacancies, backlog, and extended illnesses. In Fiscal 1987, these assignments totaled 469 judge days. In addition, the Chief Judge of the Court of Appeals recalled 12 former District Court judges to sit in that court totaling 517 judge days.

At the appellate level, maximum use of available judicial manpower continued in Fiscal '87. The Court of Special Appeals caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and prehearing settlement conferences. The Chief Judge of the Court of Appeals exercised authority by designating appellate judges to sit in both appellate courts to hear specific cases. Five former appellate judges were recalled to assist both courts for a total of 209 judge days.

Finally, five judges of the Court of Special Appeals were designated to different circuit courts for various lengths to assist those courts in handling the workload, particularly during the summer months.



Tulip Hill, Galesville vicinity, Anne Arundel County

Court-Related Units

Court-Related Units

Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours' writing.

Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in forty-eight jurisdictions. It is a six-hour test that

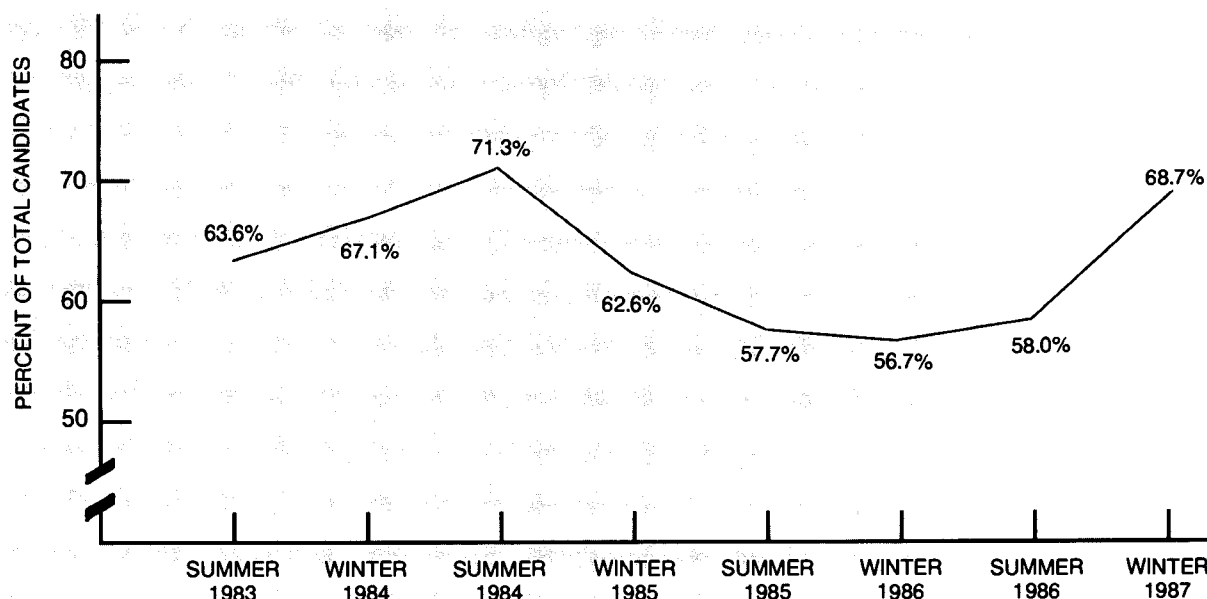
covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, Maryland civil procedure, property and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility was added to the list of subjects on the Board's essay test.

The results of the examinations given during Fiscal Year 1987 are as follows: a total of 1151 applicants sat for the July 1986 examination with 668 (58.04 percent) obtaining a passing grade, while 645 sat for



Ratio (percent) of successful candidates to total candidates taking the bar examination

the February 1987 examination with 443 (68.68 percent) being successful. Passing percentages for the two previous fiscal years are as follows: July 1984, 71.28 percent and February 1985, 62.61 percent; July 1985, 57.71 percent and February 1986, 56.71 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 attorney examination, the revised Maryland Rules of Procedure,

which became effective July 1, 1984, were used. They were also used on the regular bar examination.

The new Maryland Rules of Professional Conduct were effective January 1, 1987. These new Rules were used on both the Attorney Examination and the regular bar examination commencing with the February 1987 examinations.

At the Attorney Examination administered in July 1986, 89 applicants took the examination for the first time along with seven who had been unsuccessful on a prior examination for a total of 96 applicants. Out of this number, 92 passed. This represents a passing rate of 95.83 percent.

In February 1987, 110 new applicants took the examination for the first time along with 8 applicants who had been unsuccessful on a prior examination for a total of 118 applicants. Out of this number, 97 passed. This represents a passing rate of 82.20 percent.

The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman (Member of the Baltimore City Bar)
 William F. Abell, Jr., Esquire; Montgomery County Bar
 John F. Mudd, Esquire; Charles County Bar
 Robert H. Reinhart, Esquire; Allegany County Bar
 John W. Sause, Jr., Esquire; Queen Anne's County Bar
 Jonathan A. Azrael, Esquire; Baltimore City Bar
 Pamela J. White, Esquire; Baltimore City Bar

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1987 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
SUMMER 1986 (July)	1,151	668 (58.04%)	944	607 (64.30%)
Graduates University of Baltimore	236	130 (55.08%)	194	119 (61.34%)
Graduates University of Maryland	209	131 (62.68%)	167	120 (71.86%)
Graduates Out-of-State Law Schools	706	407 (57.65%)	583	368 (63.12%)
WINTER 1987 (February)	645	443 (68.68%)	291	215 (73.88%)
Graduates University of Baltimore	143	110 (76.92%)	57	49 (85.96%)
Graduates University of Maryland	108	63 (58.33%)	36	24 (66.67%)
Graduates Out-of-State Law Schools	394	270 (68.53%)	198	142 (71.72%)

*Percentages are based upon the number of first-time applicants.

Rules Committee

Under Article IV, Section 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State. Under the Code, Courts Article, § 13-301, the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and to submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. The Committee is currently working on Phase II of the project, which involves the remainder of the Maryland Rules, Chapters 800 through 1300.

During the past year, the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The proposed changes were set forth in the Committee's Ninety-fifth, Ninety-sixth, and Ninety-seventh Reports.

Pursuant to the Ninety-fifth Report, the Court of Appeals adopted changes, effective July 1, 1986, to Rule 4-313. The purpose of the changes was to conform Rule 4-313 with Code, Courts and Judicial Proceedings Article, § 8-301 as amended by Acts of 1986, Ch. 656.

Courts Article, § 8-301, deals with peremptory challenges. The 1986 amendments reduced the number of peremptory challenges in criminal cases where the possible statutory sentence is 20 years or more but less than life imprisonment, from 20 to 10 for the defendant and from 10 to 5 for the State. In addition, the 1986 amendments deleted a provision applicable to "all other cases," that all defendants were considered a single party for peremptory challenge purposes.

The changes to Rule 4-313 achieved consistency with the statute by (1) limiting subsection (a)(2) to death and life imprisonment cases, (2) adding a new subsection (a)(3) to provide for cases where a statutory sentence of imprisonment for 20 years or more but

less than life is possible, and (3) deleting the second sentence of subsection (a)(1), relative to treating multiple defendants as a single party. The June 25, 1986 Order of the Court of Appeals adopting the changes to Rule 4-313 was published in the *Maryland Register*, Vol. 13, Issue 15 (July 18, 1986).

After consideration of the Ninety-sixth Report, the Court adopted a new Rule S74 and certain changes to Rules 903, 913, D72, D73, and S75, and Forms 904-S and 918-O/JR.

New Rule S74 emanated from a recommendation of the Conference of Circuit Judges and applies in divorce cases where a monetary award or other relief pursuant to Code, Family Law Article, § 8-205 is at issue. The rule requires the parties to file a joint statement before trial, identifying all of the property at issue and the positions of the parties with respect to that property. The procedure is similar to the one prescribed for preparing a joint record extract, and incorporates the desired form in the body of the rule.

The changes in Rules 903, 913, D72, and D73, and to Forms 904-S and 918-O/JR were necessary to conform those rules or forms to statutory changes made by the General Assembly.

The Ninety-sixth Report was published in the *Maryland Register*, Vol. 13, Issue 21 (October 10, 1986). The Court adopted the changes to Form 904-S on an emergency basis, effective March 16, 1987. The Court adopted all other changes in the Ninety-sixth Report effective July 1, 1987. The Order of the Court of Appeals, dated March 3, 1987, was published in the *Maryland Register*, Vol. 14, Issue 7 (March 27, 1987).

In January 1987, the Committee submitted its Ninety-seventh Report to the Court. The major focus of the Report is on proposed new rules of appellate procedure, which represent the first part of Phase II of the general revision of the Maryland Rules. Basically, the current Chapter 800 and Chapter 1000 Rules have been merged into one set of rules applicable to both appellate courts, proposed Title 8. Certain conforming amendments are proposed for current Rules 1-325, 2-632, and 1225.

Other items proposed in the Ninety-seventh Report included an amendment to Rule 1299 d 6, permitting the destruction of traffic court dockets after five years under certain circumstances, and the addition of a statutory cross-reference in Rules 2-124 and 3-124.

The Ninety-seventh Report was published in the *Maryland Register*, Vol. 14, Issue 4 (February 13, 1987). The Court of Appeals held an open meeting on May 13, 1987. Because review of all of the proposed rules could not be completed in one meeting, the Ninety-seventh Report is still under consideration by the Court.

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman; Court of Special Appeals

Hon. Francis M. Arnold, District Court, Carroll County

Hon. Walter M. Baker, State Senator, Cecil County

Lowell R. Bowen, Esq., Baltimore City Bar

Professor Robert R. Bowie, Talbot County Bar

Albert D. Brault, Esq., Montgomery County Bar

Hon. Howard S. Chasanow, Circuit Court for Prince George's County

D. Warren Donohue, Esq., Montgomery County Bar

Hon. James S. Getty, Court of Special Appeals (retired)

John O. Herrmann, Esq., Baltimore City Bar

H. Thomas Howell, Esq., Baltimore City Bar

Alexander G. Jones, Esq., Somerset County Bar

Hon. Joseph H.H. Kaplan, Administrative Judge, Circuit Court for Baltimore City

James J. Lombardi, Esq., Prince George's County Bar

Paul V. Niemeyer, Esq., Baltimore City Bar

Anne C. Ogletree, Esq., Caroline County Bar

Joseph E. Owens, Esq., Montgomery County Bar

Hon. Kenneth C. Proctor, Circuit Court for Baltimore County (retired); *Emeritus*

Linda M. Richards, Esq., Baltimore City Bar

Hon. Mary Ellen T. Rinehardt, District Court, Baltimore City

Hon. A. James Smith, Clerk, Circuit Court for Wicomico County

Melvin J. Sykes, Esq., Baltimore City Bar

Una M. Perez, Esq., Reporter

Sherie B. Libber, Esq., Assistant Reporter

State Law Library

The objective of the Maryland State Law Library is to provide an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the legislature in 1827, the Library is now governed by a Library Committee whose powers include appointment of the director of the Library as well as general rule-making authority.

With a collection in excess of 233,000 volumes, this specialized facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government documents and Maryland history and genealogy. Of special note are the Library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries. An additional research tool available to court and other State legal personnel is Mead Data Central's computer-assisted legal research service, Lexis.

Over the past four years, the Library has made substantial improvements to its collections. The Library now contains holdings of all the out-of-state codes, appellate court rules and official state court reports. The United States Supreme Court records and briefs on microfiche have been added since the 1980 Term.

Additionally, the Library has been upgrading its Maryland legislative history files and has gathered a complete collection of task force and study commission reports. The Legislative Committee files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis. Currently, the Library has a complete file for 1978-1983. Additional materials added to the collection over the past year include Attorney General opinions from every state, on microfiche, commencing in 1978 to date; and a large collection of Ph.D. dissertations and Masters theses on various law and social science topics on Maryland.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. The Library began participating in a cooperative cataloging program with a number of state publication depository libraries this past year. In all, some 3413 titles have been processed on OCLC during Fiscal 1987.

Technical assistance was provided to four circuit court libraries in the further development of their library services. Consultations included collection development, collection cataloging, insurance appraisal, library design, space planning, and computer-assisted legal research systems.

During the past year, the Library continued to participate in RSVP (Retired Senior Volunteer

Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers who have initiated and completed a number of important indexing and clerical projects. Also, the Library participated in the Field Study Program sponsored by the College of Library and Information Sciences of the University of Maryland. Two exceptional graduate students contributed 100 hours each to various library-related projects which have enhanced the effectiveness of our operations.

As a part of its public relations and information dissemination effort, the Library continued the publication of the quarterly *Recent Acquisitions of the Maryland State Law Library*.

Publications issued by the Library included a guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland, A Checklist of Sources*; an updated *Divorce Bibliography*; *DWI: Where to Find the Law in Maryland*; *Self-Help Law: A Sampler*; *The U.S. and Maryland Constitutions: Some Basic Sources*; and *The Maryland Court of Appeals: A Bibliography of Its History*.

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, and professional organizations on the basics of legal research techniques and also appearing before genealogy societies to discuss the collections and services available from the Library.

The Library has also been active in assisting various groups in celebrating the bicentennial of the U.S. Constitution. Additionally, the Maryland Commission for Women designated the law library as the home for their Maryland Women's Hall of Fame. In conjunction with this honor, the Library has begun to assemble an exhaustive resource collection of information on all inductees into this prestigious honorary society.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m.—4:30 p.m.; Tuesday and Thursday, 8:30 a.m.—9:00 p.m.; and Saturday, 9:00 a.m.—4:00 p.m.

Summary of Library Use Fiscal 1987

Reference inquiries	17,426
Volumes circulated to patrons	2,894
Interlibrary loan requests filled	826

Attorney Grievance Commission

By Rule of the Court of Appeals, the Attorney Grievance Commission was created in 1975 to supervise and administer the discipline and inactive status of lawyers. The Commission consists of eight lawyers and two lay persons appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of the member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation.

The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel, the principal executive officer of the disciplinary system, and supervises the activities of Bar Counsel and his staff. Duties of the Bar Counsel and his staff include investigation of all matters involving possible misconduct, the prosecution of disciplinary proceedings, and investigation of petitions for reinstatement. In Fiscal Year 1986 an assistant bar counsel, investigator, and secretary were added to the staff. The staff now consists of Bar Counsel, five (5) assistant bar counsels, four (4) investigators, an office manager, and six (6) secretaries.

The Court of Appeals established a disciplinary fund to cover expenses of the Commission and provided for an Inquiry Committee and Review Board to act upon disciplinary complaints. The fund is endowed by an annual assessment upon members of the bar as a condition precedent to the practice of law. No increase in attorney assessments was necessary for Fiscal Year 1988.

The Inquiry Committee consists of approximately 342 volunteers, one-third of whom are non-lawyers and two-thirds lawyers, each appointed for a four (4) year term and eligible for reappointment.

The Review Board consists of eighteen (18) persons, fifteen (15) of whom are attorneys and three (3) of whom are non-lawyers from the State at large. Members of the Review Board serve three-year terms and are ineligible for reappointment. Judges are not permitted to serve as members of the Inquiry Committee or the Board.

Inventoried complaints this year were again approximately ten percent (10%) greater than Fiscal Year 1986. A greater number of open complaints, awaiting action at all levels of the system, remained at the end of Fiscal Year 1987 than at the end of Fiscal Year 1986. Unnecessary delays in processing complaints is a goal addressed monthly by the Commission in its examination of staff reports and spot checks.

The number of lawyers disbarred this past fiscal year was nineteen (19) compared to twenty (20) in Fiscal Year 1986. Bar Counsel continues to devote his personal efforts to more complex cases as well as his administrative functions.

The Commission provides financial support to the

Summary of Disciplinary Action

	1982 -83	1983 -84	1984 -85	1985 -86	1986 -87
Inquiries Received (No Misconduct)	1,052	903	988	1,028	1,119
Complaints Received (Prima Facie Misconduct Indicated)	280	364	295	369	412
Totals	1,332	1,267	1,283	1,397	1,531
Complaints Concluded	269	315	319	285	373
Disciplinary Action Taken by No. of Attorneys:					
Disbarred	11	5	8	7	11
Disbarred by Consent	5	7	3	13	8
Suspension	3	7	11	12	12
Public Reprimand	3	4	3	6	3
Private Reprimand	8	13	7	9	14
Placed on Inactive Status	0	1	2	1	3
Dismissed by Court	3	7	7	2	6
Petitions for Reinstatement Granted	0	1	2	0	2
Petitions for Reinstatement Denied	0	0	0	0	2
Resignation	0	0	0	0	1
Resignation w/Prejudice	0	0	1	0	0
Total No. of Attorneys	33	45	44	50	62

Lawyer Counseling program of the Maryland State Bar Association, Inc. Complaints against lawyers often result from mental illness, dependence on alcohol or drugs or poor office procedures. The counseling program is designed to aid lawyers with these problems. Bar Counsel finds that referrals to that program prove helpful in avoiding more serious disciplinary problems.

The Commission and Bar Counsel communicate with Maryland lawyers and the public through articles on disciplinary subjects in the *Maryland Bar Journal*, continuing legal education seminars, radio and press interviews, bar association meetings, continuing professional education courses, telephone inquiries from lawyers and lay persons, and appearances before court-related agencies. The Commission maintains a toll-free number for incoming calls from anywhere within Maryland for the convenience of complainants and for volunteers who serve in the system.

Efforts continue to inform attorneys and clients of sources of disciplinary complaints. Increasing awareness of problem areas in the practice should reduce unintended infractions of disciplinary rules. The increase in the total number of inquiries and complaints is attributed to an increasing number of lawyers admitted to practice.

The Maryland Rules of Professional Conduct were effective January 1, 1987. To date, no cases involving a violation of these rules have been brought before the Court of Appeals of Maryland.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Sec. 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year basis.

The Fund began its twenty-first year on July 1, 1986, with a fund balance of \$1,262,497.54, as compared to a fund balance of \$1,129,955.85 for July 1, 1985.

The Fund ended its twenty-first year on June 30, 1987, with a fund balance of \$1,245,995.71 as compared to a fund balance for the year ending June 30, 1986, of \$1,262,497.54.

At their meeting of August 14, 1986, the trustees elected the following members to serve as officers through the fiscal year ending June 30, 1987: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

During the fiscal year July 1, 1986 through June 30, 1987, the trustees met on four occasions and during the fiscal year, the trustees paid claims amounting to \$212,099.53. There are thirty-five (35) pending claims with a current liability exposure approximating \$1,062,450.00. These claims are in the process of investigation.

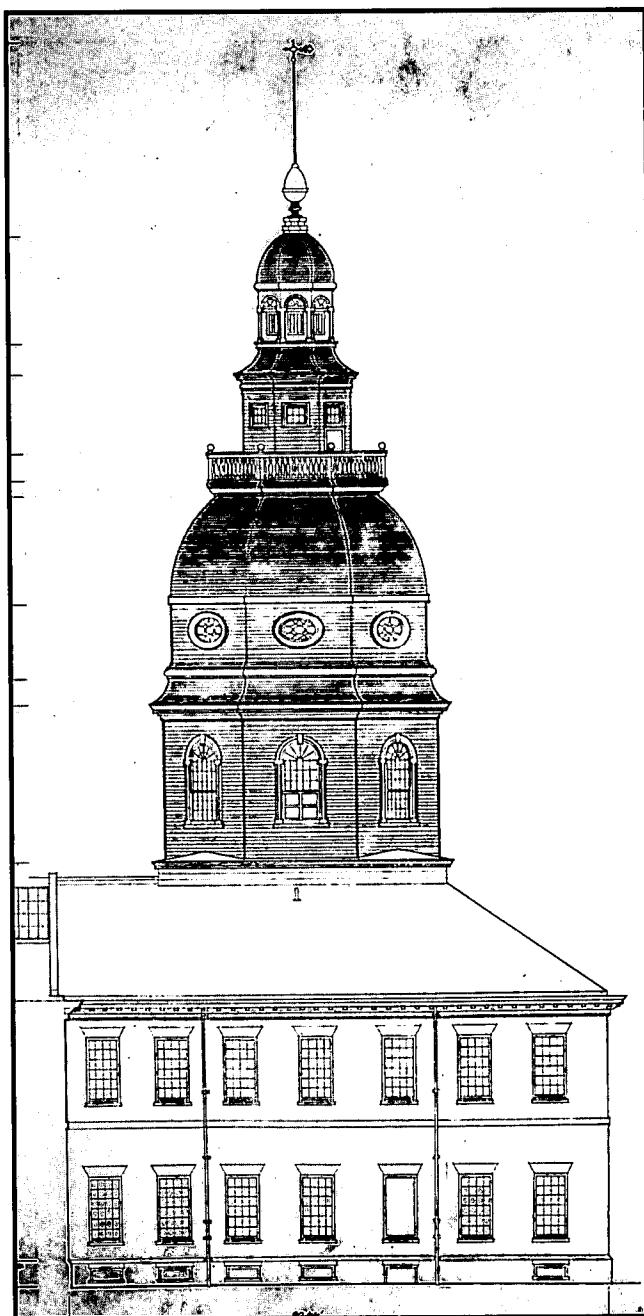
During the fiscal year ending June 30, 1987, the Fund derived the sum of \$151,974.00 from assessments, as compared with the sum of \$137,086.00 for the preceding fiscal year.

On June 30, 1987, the end of the current fiscal year, there were 17,101 lawyers subject to annual assessments. Of this number, 157 attorneys have failed to pay.

In accordance with the Maryland Rules of

Procedure, the nonpaying attorneys' names will be stricken from the list of practicing attorneys in this State after certain procedural steps have been taken by the trustees.

Architectural drawing, interior of the Maryland Statehouse rotunda



Judicial Conferences

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of 219 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is the executive secretary. The Conference meets annually in plenary session. Between these sessions, its work is conducted by an Executive Committee and by a number of other committees, as established by the Executive Committee in consultation with the Chief Judge. In general, the chairmen and members of these committees are appointed by the chairman of the Executive Committee in consultation with the Chief Judge. The various committees are provided staff support by personnel of the Administrative Office of the Courts.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio non-voting member. It elects its own chairman and vice-chairman. Its major functions are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge or the Court.

At its first meeting in July 1986, the Executive Committee elected the Honorable Robert C. Nalley, Administrative Judge of District Four of the District Court, as its chairman, and the Honorable John J.

Bishop, Jr., Associate Judge, Court of Special Appeals, as its vice-chairman.

The Executive Committee met almost monthly and planned the 1987 Maryland Judicial Conference and reviewed the work of the various committees. The Executive Committee referred many matters to the General Assembly for action.

Meeting of the Maryland Judicial Conference

The Forty-second Annual Meeting of the Maryland Judicial Conference was held on April 23 and 24, 1987, in Ocean City, Maryland, at the Sheraton Fontainebleau Inn and Spa.

Reports of the Conference committees were presented at the business meeting. Of the two reports requiring action, one was submitted by the Committee on Mental Health, Alcoholism and Addiction with the Honorable George J. Helinski, Chair, leading the discussion on a resolution proposed by the Committee and adopted by the Conference. The other report was submitted by the Maryland Sentencing Guidelines Committee on the revisions to the guidelines as explained by the Honorable Howard S. Chasanow, Chair of the Revision Committee. The motion to approve the revisions was adopted.

A resolution was unanimously adopted that, in order to implement the recommendation of the Conference of Chief Justices, all judges in the State on Thursday, September 17, 1987, would simultaneously, in every court, deliver brief prepared remarks in open court in acknowledgment of the Bicentennial of the signing of the Constitution of the United States in Philadelphia.

On the second day, a panel composed of George D. Solter, Esq., former member of the ABA Committee on Professional Responsibility and former Chairman of the Attorney Grievance Commission; Melvin Hirshman, Esq., Bar Counsel, Attorney Grievance Commission; and Richard B. Vincent, Director of Lawyer Counseling of the Maryland State Bar Association, discussed "Judicial Response to Lawyers' Misconduct."

Philip G. Dantes, Chairman, Parole Commission, spoke on the Parole Board Considerations, while Dr. Isaiah M. Zimmerman followed with a presentation on Judicial Stress.

American Inns of Court was the topic of Professor Sherman L. Cohn of Georgetown Law Center.

In the afternoon, judges participated in group discussions of recent Maryland appellate decisions. They selected from among six small group sessions on different cases involving: landlord and tenant, sentencing, tort liability of contractors and architects,

interference with economic relations, *Terry* stops, and past recollection recorded and present sense impressions.

A resolution was adopted by the Conference noting that Chief Judge Robert C. Murphy had completed 20 years of judicial service, first as Chief Judge of the Court of Special Appeals and then as Chief Judge of the Court of Appeals and that his efforts devoted to the improvement of the judiciary are unprecedented in the memory of members of the Conference and they expressed their appreciation and wished him many years of additional judicial service.

Conference of Circuit Judges

The Conference of Circuit Judges was established pursuant to Maryland Rule 1207 to make recommendations on the administration of the circuit courts. Membership includes the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal 1987, the Conference met four times to address various concerns of the circuit court judges. The following highlights some of the important matters considered by the Conference.

The Conference:

1. Endorses Discovery Guidelines.

The Conference met with representatives of a special committee of the Maryland State Bar Association which had drawn up Discovery Guidelines for use in the circuit courts. The Guidelines are not intended to suggest that judges should be involved early in discovery but for the primary purpose of getting attorneys to work out their problems without initial court involvement. The Conference endorsed the Guidelines by taking the position, first, that the Guidelines are reasonable standards for the conduct of discovery, and second, that judges should consider them presumptively proper and apply them as a benchmark when discovery problems come before them.

2. Endorses Study on the Impact of Increased Number of Prayers for Jury Trials from the District Court.

In view of alarming statistics on the percentage of the total criminal docket that is comprised of prayers for jury trials from the District Court which reflect an adverse impact on the expeditious disposition of criminal cases at the circuit court, the Conference endorsed the formation of a committee to undertake a comprehensive examination of this entire issue with a possible view towards legislation to remedy the situation.

3. Supports Legislation.

The Conference expressed its support for and opposition to various legislative proposals, including



Chesapeake Bay Map by Charles Mason and Jeremiah Dixon

support for Maryland Judicial Conference legislation. The Conference of Circuit Judges recommended repeal of a section of the Health Claims Arbitration Act which mandates that members of the general public who are to serve as part of a panel of arbitrators in health care malpractice claims, be selected from current jury panel lists. The Conference expressed a concern over the burden that this would place on subdivisions to supply this information and a further concern that in addition to jury lists, telephone numbers are to be attached. The Conference also sought legislation that would make it a crime to issue a bad check to the circuit court, require the assessment of jury costs in civil cases, and that indexing of land records may be part of the recordation statute. Judicial

Conference legislation supported by the Conference is reported in the section of this report entitled *1987 Legislation Affecting the Courts*.

4. Continued Communication with Department Officials.

The Conference met with representatives of the Department of Human Resources responsible for administering the Maryland Legal Services Program. Concern was expressed by the Department over the wide range of fees ordered by the courts in guardianship and adoption cases in which the State was a party. Under State law, if the State becomes a party to a particular proceeding involving guardianship or adoption, the State pays attorneys' fees. The Department sought the Conference's support for reducing the wide disparity and suggested that perhaps a maximum be established. The Conference agreed and recommended that a maximum of up to \$75 per hour be allowed in these types of cases.

5. Urges Rule Changes.

The Conference referred to the Standing Committee on Rules of Practice and Procedure of the Court of Appeals various proposals that amend certain Maryland Rules. One such proposal dealt with Rule W74b concerning the location of foreclosure sales. The Conference is particularly concerned that some attorneys have been conducting sales in private offices or inside the courthouse corridors. The Conference recommended that Rule be amended to require the location of a sale to be either outside the courthouse, on the foreclosed premises, or some other location approved by court order.

Another proposal was submitted to the State-Federal Judicial Council and concerned the removal of cases to the Federal courts. The issue raised by the Council was that incomplete files are being received by the Federal court at the time of removal. Further, it appears that in bankruptcy proceedings the appropriate State court has not been notified of the pending proceeding. The Conference recommended to the Federal court that it amend its local rules to require the removing attorney to certify that the file is complete at the time the attorney files a removal, and second that the debtor's attorney include a schedule of State proceedings and a certification that notification to the appropriate State court has been made.

6. Express Concerns Over Inordinate Delay in Evaluations for Competency and Criminal Responsibility by the Department of Health and Mental Hygiene.

The Conference expressed continued concern about inordinate delays in obtaining court-ordered evaluations for competency and criminal responsibility. The Conference wants steps taken to reduce the delay and will be meeting with Department officials within the next several months.

Administrative Judges Committee of the District Court **by the Chief Judge of the District Court of Maryland** **Robert F. Sweeney**

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective district.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal 1987, the Committee acted on more than half a hundred items. Among the more significant were:

- (1) Revisions to certain preset fines in motor vehicle cases, particularly those relating to the operation of trucks and tractor trailers;
- (2) An increase to \$2.00 per page for the preparation of transcripts, and requiring a minimum deposit of \$50.00 when such a transcript is ordered;
- (3) Successfully advocating the passage of legislation which permits a bench warrant to issue simultaneously with the suspension of the defendant's license, when the defendant fails to appear for a violation of the motor vehicle laws punishable by incarceration; and
- (4) Reviewed and made recommendations to the General Assembly on twenty other bills having effect on the operation and administration of the District Court.

Additionally, the Committee appeared as a body before the Senate Budget and Taxation Committee considering the District Court budget, in support of a request for a substantial increase in the number of permanent, nonjudicial positions allotted to the Court. The Committee was highly successful in this regard.

Appointment, Discipline, and Removal of Judges

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971, and since then, each judicial vacancy filled pursuant to the governor's appointing power has been filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor William Donald Schaefer, effective January 29, 1987, each of the nine commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make his appointment from the Commission list.

During Fiscal 1987, 15 vacancies occurred. This compares to 24 vacancies in Fiscal 1986. The Appellate Judicial Nominating Commission met three times during Fiscal 1987. The Second, Third, and Fourth Circuits each met once. The First, Sixth, Seventh, and Eighth Circuits met twice. The Sixth Circuit also met a third time to consider candidates to fill two vacancies pending on the District Court for Fiscal 1988.

The accompanying table gives comparative statistics pertaining to vacancies, number of applicants, and number of nominees over the past nine fiscal years. In reviewing the number of applicants and the number of nominees, it should be noted that under the Executive Order, a pooling system is used. Under this pooling system, persons nominated as fully qualified for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table does not reflect these pooling arrangements. It shows new applicants and new nominees only.

All three vacancies on the Appellate Courts were filled by judges from the lower courts.

All five of the circuit court vacancies were filled during the fiscal year. Two appointments were from the District Court bench and two appointments were from the private bar. The remaining appointment was from the public sector.

Four of the seven District Court vacancies were filled during Fiscal 1987. Of those filled, two appointments were from the private bar and two were from the public sector.

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1979 to Fiscal 1987

		Court of Appeals	Court of Special Appeals	Circuit Courts/ Supreme Bench	District Court	TOTAL
FY 1979	Vacancies	1	1	7	11	20 ^a
	Applicants	4	25	38	67	134
	Nominees	4	6	18	31	59
FY 1980	Vacancies	1	0	13	11	25 ^b
	Applicants	5	0	87	135	227
	Nominees	3	0	27	28	58
FY 1981	Vacancies	0	0	3	10	13 ^c
	Applicants	0	0	30 ^d	69 ^d	99 ^d
	Nominees	0	0	6 ^d	24 ^d	30 ^d
FY 1982	Vacancies	1	1	12	11	25 ^e
	Applicants	5	7	96 ^d	142 ^d	250 ^d
	Nominees	4	4	26 ^d	30 ^d	64 ^d
FY 1983	Vacancies	0	4	8	5	17 ^f
	Applicants	0	32	74 ^d	70 ^d	176 ^d
	Nominees	0	16	17 ^d	22 ^d	55 ^d
FY 1984	Vacancies	0	2	12	10	24 ^g
	Applicants	0	27	91 ^d	195 ^d	313 ^d
	Nominees	0	12	29 ^d	37 ^d	78 ^d
FY 1985	Vacancies	1	1	9	7	18 ^h
	Applicants	3	5	79 ^d	122 ^d	209 ^d
	Nominees	3	3	24 ^d	34 ^d	64 ^d
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69 ^d	125 ^d	199 ^d
	Nominees	0	4	22 ^d	34 ^d	60 ^d
FY 1987	Vacancies	2	1	5	7	15 ⁱ
	Applicants	11	6	31 ^d	102 ^d	150 ^d
	Nominees	7	4	13 ^d	19 ^{d,i}	43 ^d

^a In Fiscal 1979, two additional vacancies occurred during the fiscal year, but were not filled until FY 80.

^b In Fiscal 1980, three new vacancies occurred during the fiscal year but were not filled during that year. Two vacancies that occurred in FY 79 were filled.

^c In Fiscal 1981, three vacancies were filled that had occurred in Fiscal 1980.

^d Because of the pooling arrangements available under the Executive Order during the past seven fiscal years, the number of applicants and nominees in these years may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

^e Three vacancies that occurred in FY 81 were filled in FY 82. Two vacancies that occurred in FY 82 were not filled until FY 83.

^f Five vacancies that occurred in FY 83 were not filled until FY 84.

^g Six vacancies that occurred in FY 84 were not filled until FY 85.

^h Two vacancies that occurred in FY 85 were not filled until FY 86.

ⁱ A meeting for one District Court vacancy was not held until FY 88.

^j Three vacancies that occurred in FY 87 were not filled until FY 88.

Judicial Nominating Commissions

as of September 1, 1987

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Clarence L. Fossett, Jr., Esq.
Leonard E. Moodispaw, Esq.
Albert J. Matricciani, Jr., Esq.

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David Gilbert Borenstein, M.D.
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Vacancy

TRIAL COURT

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Harland Cottman
Elmer T. Myers
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Eugene F. Herman, Esq.
Christopher B. Kehoe, Esq.

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Fifth Judicial Circuit

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 Timothy E. Meredith, Esq.
 James Patrick Nolan, Esq.
 Robert K. Parker, Esq.
 Paula J. Peters, Esq.
 Barry Silber, Esq.

Allen A. Boston
 Shirley Hager Hobbs
 Verena Voll Linthicum
 Patricia A. McNelly
 Earl H. Saunders
 Ruth Uhrig

Sixth Judicial Circuit

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 Louise Michaux Gonzales, Esq.
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 Kenneth L. Thompson, Esq.

Carolyn Colvin
 John B. Ferron
 William L. Jews
 Sally Michel
 Rosetta Stith
 William H.C. Wilson

Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face Senate reconfirmation every ten years. A judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime..."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity..."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a *nolo* plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct

hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While the majority of these complaints do not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-one formal complaints—of which two were initiated by the Commission itself, six by practicing attorneys and the remainder by either private individuals or members of some public interest group. Several complaints were directed against more than one judge and sometimes a single judge was the subject of numerous complaints. At times, several persons filed a joint complaint. In all, nine judges sitting at the District Court level, two Orphans' Court judges and twenty-five circuit court judges were the subjects of complaints.

As in previous years, litigation over domestic matters (divorce, alimony, custody) precipitated the most complaints (8), criminal cases accounted for seven and the remainder resulted from ordinary civil litigation or the alleged improper demeanor of some jurist. No formal record is kept of either the innumerable telephone discussions and consultations or the written complaints summarily dismissed for lack of jurisdiction.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, two complaints were dismissed because the judges involved retired. Several judges were requested to defend charges against them and one formal hearing was held. In most instances, however, the complaints were subsequently dismissed either because the charges leveled were never substantiated or because, the Commission eventually concluded, the conduct did not amount to a breach of judicial ethics. Matters were likewise disposed of by way of informal discussion with the jurist involved. Several matters remain currently pending.

Finally, pursuant to Rule 1227 of the Maryland

Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members, who serve without remuneration, are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.



Paca House, Annapolis

1987 Legislation Affecting the Courts

1987 Legislation Affecting the Courts

During its 1987 session, the General Assembly enacted laws covering a broad range of subjects. Highly publicized legislation included reforms to workmen's compensation law and the creation of a tax amnesty program. Two long-standing controversies were resolved by the passage of bills repealing Sunday blue laws throughout much of the state and permitting nonprofit organizations to operate slot machines in certain counties. Summarized below are some of the laws directly affecting the courts. Information about other laws of similar import is available through the Administrative Office of the Courts.

1. Judicial Conference Legislation

Trustees—Schedules of Commissions—Chapter 162. Requires trustees who administer estates under the jurisdiction of courts to file with the trust clerks certain schedules of increased rates of income and corpus commissions. Specifies that this filing does not affect the applicability of the schedules.

Health Claims Arbitration—Jury Lists—Chapter 666. Requires jury commissioners or clerks of court to send jury lists to the Health Claims Arbitration Office only if the Director of the office determines the lists are needed, rather than each term. Also deletes the requirement for telephone numbers to be included.

Interceptions of Wire or Oral Communications—Chapter 163. Requires the State Prosecutor to file certain reports on wiretap orders. Clarifies the time when judges must report on applications and orders for interceptions.

Criminal Cases—Trial Dates—Chapter 222. Clarifies the provisions for scheduling criminal trials in the circuit courts and conforms the statute to the Rules.

District Court Judgeships—Chapter 208. Creates one judgeship in Montgomery County.

2. Court Administration

Court Clerks—Funding. By constitutional amendment effective July 1, 1987, the offices of the court clerks are funded through the state budget and the fees, etc., collected by the clerks are state revenues.

Tenant Evictions—Chapter 408. During extreme weather conditions, allows a district administrative judge to stay implementation of warrants for repossession on a day-to-day basis.

Real Property—Releases—Chapter 656. Allows a clerk of court to receive, index, and record certain cancelled checks and affidavits as a release of a mortgage or deed of trust, following a specified waiting period.

District Court Commissioners—Chapter 269. Authorizes a supervising commissioner of the District Court of a multi-county district to perform the duties of commissioner within any county of that district.

3. Criminal Law and Procedure

Death Penalty—Chapter 600. Includes, as an aggravating circumstance in death penalty cases, the murder of a law enforcement officer while the officer is employed privately as a security guard or special police if the officer is wearing a uniform or prominently displaying a badge or other insignia.

Death Penalty—Chapter 626. Precludes imposition of the death penalty on a person who was under the age of 18 at the time of the murder.

Death Penalty—Chapter 418. Establishes new judicial procedures for determining the sanity of inmates under sentence of death.

First Degree Murder—Chapter 693. Authorizes a sentence of life imprisonment without possibility of parole in certain first degree murder cases.

Criminal Conspiracies—Chapter 161. Makes the statute of limitations for a conspiracy the same as that for the offense upon which the conspiracy is based.

District Court—Criminal Jurisdiction—Chapter 439. Gives the District Court concurrent jurisdiction over credit card offenses, whether felony or misdemeanor. Also clarifies that the District and circuit courts have concurrent jurisdiction over bad check cases.

4. Civil Law and Procedure

Immunity from Liability. In separate bills, the General Assembly provided immunity, with certain exceptions, for the following classes of people: volunteer coaches, managers, program leaders, assistants, and other officials of community recreation programs (Chapter 601); volunteers in connection with services for charitable organizations (Chapters 750 and 751); physicians and volunteers for health care services at medical clinics of charitable organizations (Chapter 620); and agents of tax-exempt athletic clubs,

community associations, and homeowners associations carrying specified insurance coverage (Chapter 694).

District Courts—Jurisdictional Amounts—Chapter 314. Increases, to \$2,500, the jurisdictional amount of small claims and landlord/tenant actions in the District Court. Also increases, to \$2,500, the amount that determines whether an appeal is heard *de novo* or on the record.

Statute of Limitations. The General Assembly passed several laws concerning the statutes of limitations for particular types of actions. These will affect medical malpractice actions involving claimants who are minors (Chapter 592); actions arising from occupational diseases caused by toxic substances (Chapter 624); and wrongful death actions based on occupational diseases (Chapter 629).

Local Governments—Chapter 594. Creates a Local Government Tort Claims Act.

Class Actions—Chapter 613. Allows proposed class members to aggregate their claims in order to meet the requirements for the minimum amount in controversy.

Mortgages and Deeds of Trust—Chapter 374. Repeals the requirement for a bill in equity to release a lien for certain mortgages and deeds of trust.

Foreign Judgments—Chapter 497. Enacts a uniform enforcement of foreign judgments act.

Medical Injury Awards—Modification and Remittitur—Chapter 596. Provides for waiver of arbitration. Requires arbitration panels and triers of fact to itemize, separately, future and current damages for medical expenses, rehabilitation costs, and loss of earnings. Requires modification based on certain collateral payments or reserves for future damages.

5. Juvenile and Family Law

Support Arrearages. Chapter 315 requires interception of State lottery prizes, in excess of \$600, due to obligors with arrearages for child, spousal, or parental support. Chapter 151 bases certification of obligors to the Comptroller, for purposes of withholding income tax refunds, on arrearages of \$150 rather than 60 days. Chapter 150 authorizes a court, upon petition, to issue an order withholding earnings of an obligor who is more than 30 days in arrears on payments of child or spousal support.

Juvenile Cases—Restitution—Chapter 344. Broadens the bases for judgments of restitution in delinquency cases. Specifies that the judgment may be against both the child and parents. Allows

governmental entities and third-party payors to receive restitution.

Adoption—Foster Parents—Chapter 625. Requires that the permanency plan for foster children follow priorities for placement and adoption. Priority is given to foster parents. Provides for hearings to contest other placements.

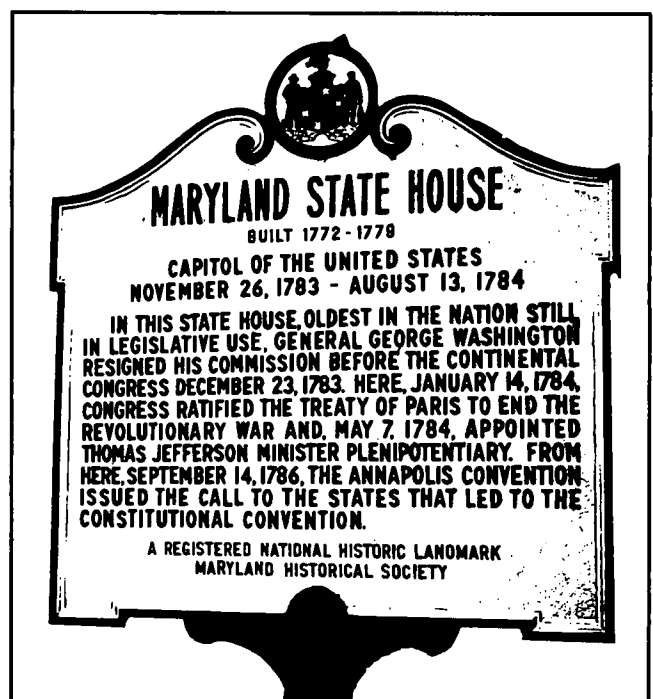
Independent Adoption—Chapter 279. Alters provisions governing independent adoptions without parental consent to make the provisions applicable only when consent is withheld affirmatively and to reduce the time during which the child has been out of custody of the parent and the time in which the custodian has had the child.

Foster Care Placement—Chapter 696. Prohibits committing a child to a local department of social services or in foster care solely because the parent or guardian lacks shelter. Provides for regulations and referrals to shelter care.

6. Motor Vehicle Law

Drivers License Compact—Chapter 320. Allows Maryland to be a party to a Drivers License Compact and, *inter alia*, provides for judicial review under the Compact.

Driving While Intoxicated—Chapter 509. Alters penalties for a third or subsequent offense of driving while intoxicated.



Sign outside the Maryland Statehouse in Annapolis

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Definitions

Adoption, Guardianship—This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term case short of adoption. Guardianships of incompetents are reported in "Other—General."

Adult—A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal—The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:

Department of Personnel
County Commissioner
Department of Taxation and Assessments
Employment Security
Funeral Director
Liquor License Commissioners
Physical Therapy
State Comptroller (Sales Tax, etc.)
State Motor Vehicle Authority
Supervisors of Elections
Workmen's Compensation Commission
Zoning Appeals
Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal—Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgments following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case—A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload—The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.—Child in Need of Assistance—Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.—Child in Need of Supervision—Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation—The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment—The act of a debtor in permitting judgment to be entered by his creditor immediately upon filing of a written statement by the creditor to the court.

Contracts—A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts

Landlord/tenant appeals from District Court

Delinquency—Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition—Entry of final judgment in a case.

District Court—Contested—Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case—Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing—The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed."

Divorce, Nullity—A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A

reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket—Formal record of court proceedings.

Filing—Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year—The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1986 to June 30, 1987.

Hearings

- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of Hearings in Criminal

- Arraignment
- Discovery motion
- Guilty plea
- Motion to quash
- Motion to dismiss
- Motion for change of venue
- Motion to continue
- Motion to suppress
- Motion to sever
- Nolo contendere
- Not guilty with agreed statement of facts
- Sentence modifications
- Violation of probation

- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Civil

- Motion to compel an answer to an interrogatory
- Motion ne recipiatur
- Motion for judgment by default
- Demurrer
- Motion for summary judgment
- Motion to vacate, open, or modify confession of judgment
- Preliminary motions presented in court, including motions for continuance
- Determination of alimony pendente lite, temporary custody, etc., in a divorce case
- Contempt or modification hearings

- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of

a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Juvenile

- Preliminary motions presented in court
- Arraignment or preliminary inquiry
- Detention (if after filing of petition)
- Merits or adjudication
- Disposition
- Restitution
- Waiver
- Review
- Violation of probation

Indictment—The product of a grand jury proceeding against an individual.

Information—Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer—Motor Vehicle—A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer—Other (Criminal)—A request for a trial by jury in the circuit court for charges normally heard in the District Court, **except** traffic charges or nonsupport.

Miscellaneous Docket—Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts—Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals—An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi—A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport—A criminal case involving the charge of nonsupport.

Original Filing—See "Filing."

Other Appeals (Criminal)—An appeal of a District Court verdict **except** one arising from a traffic charge or nonsupport.

Other Domestic Relations—Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity—This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law—This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts—Personal injury and property damage cases resulting from:

- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity—A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case—Case in which no final disposition has occurred.

Post Conviction—Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing—The first hearing held on a case after a final judgment on the original matter has been entered.

Stet—Proceedings are stayed; one of the ways a case may be terminated.

Termination—Same as “Disposition.”

Trials

• **Criminal**

Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.

• **Civil**

Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: “Merits” is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category—A case that has been reported but not specifically identified as to case type by the reporting court.



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